

IDAHO ADMINISTRATIVE BULLETIN

May 4, 2016 -- Volume 16-5

Idaho Department of Administration
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IDAHO ADMINISTRATIVE BULLETIN

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Preface

The Idaho Administrative Bulletin is an electronic-only, online monthly publication of the Office of the Administrative Rules Coordinator, Department of Administration, that is published pursuant to Section 67-5203, Idaho Code. The Bulletin is a compilation of all official rulemaking notices, official rule text, executive orders of the Governor, and all legislative documents affecting rules that are statutorily required to be published in the Bulletin. It may also include other rules-related documents an agency may want to make public through the Bulletin.

State agencies are required to provide public notice of all rulemaking actions and must invite public input. This is done through negotiated rulemaking procedures or after proposed rulemaking has been initiated. The public receives notice that an agency has initiated proposed rulemaking procedures through the Idaho Administrative Bulletin and a legal notice (Public Notice of Intent) that publishes in authorized newspapers throughout the state. The legal notice provides reasonable opportunity for the public to participate when a proposed rule publishes in the Bulletin. Interested parties may submit written comments to the agency or request public hearings of the agency, if none have been scheduled. Such submissions or requests must be presented to the agency within the time and manner specified in the individual “Notice of Rulemaking - Proposed Rule” for each proposed rule that is published in the Bulletin.

Once the comment period closes, the agency considers fully all comments and information submitted regarding the proposed rule. Changes may be made to the proposed rule at this stage of the rulemaking, but changes must be based on comments received and must be a “logical outgrowth” of the proposed rule. The agency may now adopt and publish the pending rule. A pending rule is “pending” legislative review for final approval. The pending rule is the agency’s final version of the rulemaking that will be forwarded to the legislature for review and final approval. Comment periods and public hearings are not provided for when the agency adopts a temporary or pending rule.

CITATION TO THE IDAHO ADMINISTRATIVE BULLETIN

The Bulletin is identified by the calendar year and issue number. For example, Bulletin **13-1** refers to the first Bulletin issued in calendar year **2013**; Bulletin **14-1** refers to the first Bulletin issued in calendar year **2014**. Volume numbers, which proceed from 1 to 12 in a given year, correspond to the months of publication, i.e.; Volume No. **13-1** refers to January 2013; Volume No. **13-2** refers to February 2013; and so forth. Example: The Bulletin published in January 2014 is cited as Volume **14-1**. The December 2015 Bulletin is cited as Volume **15-12**.

RELATIONSHIP TO THE IDAHO ADMINISTRATIVE CODE

The **Idaho Administrative Code** is an electronic-only, online compilation of all final and enforceable administrative rules of the state of Idaho that are of full force and effect. Any temporary rule that is adopted by an agency and is of force and effect is codified into the Administrative Code upon becoming effective. All pending rules that have been approved by the legislature during the legislative session as final rules and any temporary rules that are extended supplement the Administrative Code. These rules are codified into the Administrative Code upon becoming effective. Because proposed and pending rules are not enforceable, they are published in the Administrative Bulletin only and cannot be codified into the Administrative Code until approved as final.

To determine if a particular rule remains in effect or whether any amendments have been made to the rule, refer to the **Cumulative Rulemaking Index**. Link to it on the Administrative Rules homepage at adminrules.idaho.gov.

THE DIFFERENT RULES PUBLISHED IN THE ADMINISTRATIVE BULLETIN

Idaho’s administrative rulemaking process, governed by the Administrative Procedure Act, Title 67, Chapter 52, Idaho Code, comprises distinct rulemaking actions: negotiated, proposed, temporary, pending and final rulemaking. Not all rulemakings incorporate or require all of these actions. At a minimum, a rulemaking includes proposed, pending and final rulemaking. Many rules are adopted as temporary rules when they meet the required statutory criteria and agencies must, when feasible, engage in negotiated rulemaking at the beginning of the process to facilitate consensus building. In the majority of cases, the process begins with proposed rulemaking and ends with the final rulemaking. The following is a brief explanation of each type of rule.

NEGOTIATED RULEMAKING

Negotiated rulemaking is a process in which all interested persons and the agency seek consensus on the content of a rule through dialogue. Agencies are required to conduct negotiated rulemaking whenever it is feasible to do so.

The agency files a “Notice of Intent to Promulgate - Negotiated Rulemaking” for publication in the Administrative Bulletin inviting interested persons to contact the agency if interested in discussing the agency’s intentions regarding the rule changes. This process is intended to result in the formulation of a proposed rule and the initiation of regular rulemaking procedures. One result, however, may also be that regular (proposed) rulemaking is not initiated and no further action is taken by the agency.

PROPOSED RULEMAKING

A proposed rulemaking is an action by an agency wherein the agency is proposing to amend or repeal an existing rule or to adopt a new rule. Prior to the adoption, amendment, or repeal of a rule, the agency must publish a “Notice of Rulemaking - Proposed Rule” in the Bulletin. This notice must include:

- a) the specific statutory authority (from Idaho Code) for the rulemaking including a citation to a specific federal statute or regulation if that is the basis of authority for or is occasioning the rulemaking;
- b) a statement in nontechnical language of the substance of the proposed rule, including a specific description of any fee or charge imposed or increased;
- c) a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year when the pending rule will become effective; provided, however, that notwithstanding Section 67-5231, Idaho Code, the absence or accuracy of a fiscal impact statement provided pursuant to this subsection shall not affect the validity or enforceability of the rule.
- d) if any document is incorporated by reference in the proposed rule, a brief written synopsis of why the incorporation is needed must be included in the notice of proposed rulemaking, along with a link to the electronic version of the incorporated material or information on how it can be obtained.
- e) the text of the proposed rule prepared in legislative format;
- f) the location, date, and time of any public hearings the agency intends to hold on the proposed rule;
- g) the manner in which persons may make written comments on the proposed rule, including the name and address of a person in the agency to whom comments on the proposal may be sent;
- h) the manner in which persons may request an opportunity for an oral presentation as provided in Section 67-5222, Idaho Code; and
- i) the deadline for public (written) comments on the proposed rule.

Any proposed rulemaking that is submitted for publication in the Bulletin that would impose a fee or charge must be accompanied by a cost/benefit analysis that is prepared by the agency. This cost/benefit analysis must estimate, as reasonably as possible, the costs to the agency to implement the rule and the estimated costs that would be borne by citizens or the private sector. This analysis is filed with the Director of Legislative Services Office who then forwards it to the appropriate germane joint subcommittee assigned to review the promulgating agency’s proposed rules.

When incorporating by reference, the notice of proposed rulemaking must include a brief synopsis detailing the need to incorporate by reference any additional materials into the rule. The agency must also provide information regarding access to the incorporated materials. At a minimum, and when available, the agency must provide an electronic link to the documents that can be accessed on a web site or post this information on its own web site, or both. This link can be placed into the rule and activated once it is posted on the Coordinator’s web site.

As stated, the text of the proposed rule must be published in the Bulletin. After meeting the statutory rulemaking criteria for a proposed rule, the agency may adopt the pending rule. Because a proposed rule is not enforceable, it has no effective date, even when published in conjunction with a temporary rule that is of full force and effect. An agency may vacate (terminate) a rulemaking after the publication of a proposed rule if it decides, for whatever reason, not to proceed further to finalize the rulemaking. The publication of a “Notice of Vacation of Proposed Rulemaking” in the Bulletin officially stops the formal rulemaking process.

TEMPORARY RULEMAKING

Temporary rules may be adopted only when the governor finds that it is necessary for:

- a) protection of the public health, safety, or welfare; or
- b) compliance with deadlines in amendments to governing law or federal programs; or
- c) conferring a benefit.

If a rulemaking meets one or more of the above legal criteria and the governor determines that it is necessary that a rule become effective prior to receiving legislative authorization and without allowing for any public input, the agency may proceed and adopt a temporary rule. The law allows an agency to make a temporary rule immediately effective upon adoption. However, a temporary rule that imposes a fee or charge may be adopted only if the governor finds that the fee or charge is necessary to avoid immediate danger which justifies the imposition of the fee or charge.

A temporary rule expires at the conclusion of the next succeeding regular legislative session unless the rule is extended by concurrent resolution, is replaced by a final rule, or expires under its own terms.

The statute that regulates rulemaking in Idaho requires that the text of all proposed rulemakings publish in the Bulletin in order for the rulemaking to be valid. This is true for all temporary rules as well. In most cases, the agency wants the temporary rule to also become a final rule and in most of these cases, the temporary rule and the proposed rule text is identical. In this event, both rulemakings may be promulgated concurrently, however, they remain separate rulemaking actions. The rulemaking is published in the Bulletin as a temporary/proposed rule. Combining the rulemaking allows for a single publication of the text in the Bulletin.

An agency may, at any time, rescind a temporary rule that has been adopted and is in effect. The agency must publish a notice of rescission to effectively rescind the temporary rule. If the temporary rule is being replaced by a new temporary rule or if it has been published concurrently with a proposed rule that is being vacated, the agency, in most instances, will rescind the temporary rule.

PENDING RULEMAKING

A pending rule is a rule that has been adopted by an agency under regular rulemaking procedures and remains subject to legislative review before it becomes a final, enforceable rule.

When a pending rule is published in the Bulletin, the agency is required to include certain information in the "Notice of Rulemaking - Pending Rule." This includes:

- a) a statement giving the reasons for adopting the rule;
- b) a statement of any change between the text of the proposed rule and the pending rule with an explanation of the reasons for any changes;
- c) the date the pending rule will become final and effective and a statement that the pending rule may be rejected, amended or modified by concurrent resolution of the legislature;
- d) an identification of any portion of the rule imposing or increasing a fee or charge and a statement that this portion of the rule shall not become final and effective unless affirmatively approved by concurrent resolution of the legislature;
- e) the specific statutory authority for the rulemaking including a citation to the specific section of the Idaho Code that has occasioned the rulemaking, or the federal statute or regulation if that is the basis of authority or requirement for the rulemaking; and
- f) a specific description, if applicable, of any negative fiscal impact on the state general fund greater

than ten thousand dollars (\$10,000) during the fiscal year when the pending rule will become effective; provided however, that notwithstanding section 67-5231, Idaho Code, the absence or accuracy of a fiscal impact statement provided pursuant to this subsection shall not affect the validity or the enforceability of the rule.

Agencies are required to republish the text of the pending rule when substantive changes have been made to the proposed rule. An agency may adopt a pending rule that varies in content from that which was originally proposed if the subject matter of the rule remains the same, the pending rule change is a logical outgrowth of the proposed rule, and the original notice was written so as to assure that members of the public were reasonably notified of the subject. It is not always necessary to republish all the text of the pending rule. With the permission of the Rules Coordinator, only the sections or their subparts that have changed from the proposed text are republished. If no changes have been made to the previously published text, it is not required to republish the text again and only the "Notice of Rulemaking - Adoption of Pending Rule" is published.

FINAL RULEMAKING

A final rule is a rule that has been adopted by an agency under the regular rulemaking procedures and is of full force and effect.

No pending rule adopted by an agency becomes final and effective until it has been submitted to the legislature for review and approval. Where the legislature finds that an agency has violated the legislative intent of the authorizing statute, a concurrent resolution may be adopted to reject the rulemaking in whole or in part. A "Notice of Rulemaking - Final Rule" and the final codified text must be published in the Bulletin for any rule that is partially rejected by concurrent resolution of the legislature. Unless rejected by concurrent resolution, a pending rule that is reviewed by the legislature becomes final and effective at the end of the session in which it is reviewed without any further legislative action. All pending rules that are approved by concurrent resolution become final and effective upon adoption of the concurrent resolution unless otherwise stated. In no event can a pending rule become final and effective before the conclusion of the regular or special legislative session at which the rule was submitted for review. However, a rule that is final and effective may be applied retroactively, as provided in the rule.

AVAILABILITY OF THE ADMINISTRATIVE CODE AND BULLETIN

Internet Access - The Administrative Code and Administrative Bulletin are available on the Internet at the following address: adminrules.idaho.gov

SUBSCRIPTIONS AND DISTRIBUTION

For subscription information and costs, please contact the Department of Administration, Office of the Administrative Rules Coordinator, 650 W. State Street, Room 100, Boise, Idaho 83720-0306, telephone (208) 332-1820.

The Idaho Administrative Code - annual subscription on CD-ROM. The Code is an annual compilation of all final administrative rules and all enforceable temporary rules and also includes all executive orders of the Governor that have published in the Bulletin, all legislative documents affecting rules, a table of contents, reference guides, and a subject index.

The Idaho Administrative Bulletin - annual subscription available on individual CD-ROM sent out monthly. The Bulletin is an official monthly publication of the State of Idaho and is available for purchase on CD-ROM only. Yearly subscriptions or individual CD-ROM's are available for purchase.

Internet Access - The Administrative Code and Administrative Bulletin, and many other rules-related documents are available on the Internet at the following address: adminrules.idaho.gov

HOW TO USE THE IDAHO ADMINISTRATIVE BULLETIN

Rulemaking documents produced by state agencies and published in the **Idaho Administrative Bulletin** are organized by a numbering schematic. Each state agency has a two-digit identification code number known as the “**IDAPA**” number. (The “IDAPA” Codes are listed in the alphabetical/numerical index at the end of this Preface.) Within each agency there are divisions or departments to which a two-digit “TITLE” number is assigned. There are “CHAPTER” numbers assigned within the Title and the rule text is divided among major sections that are further subdivided into subsections. An example IDAPA number is as follows:

IDAPA 38.05.01.200.02.c.ii.

“**IDAPA**” refers to Administrative Rules in general that are subject to the Administrative Procedures Act and are required by this act to be published in the Idaho Administrative Code and the Idaho Administrative Bulletin.

“**38.**” refers to the Idaho Department of Administration

“**05.**” refers to Title **05**, which is the Department of Administrations’s Division of Purchasing

“**01.**” refers to Chapter **01** of Title 05, “Rules of the Division of Purchasing”

“**200.**” refers to Major Section **200**, “Content of the Invitation to Bid”

“**02.**” refers to Subsection 200.**02**.

“**c.**” refers to Subsection 200.02.**c**.

“**ii.**” refers to Subsection 200.02.c.**ii**.

DOCKET NUMBERING SYSTEM

Internally, the Bulletin is organized sequentially using a rule docketing system. Each rulemaking that is filed with the Coordinator is assigned a “DOCKET NUMBER.” The docket number is a series of numbers separated by a hyphen “-”, (**38-0501-1401**). Rulemaking dockets are published sequentially by IDAPA number (the two-digit agency code) in the Bulletin. The following example is a breakdown of a typical rule docket number:

“DOCKET NO. 38-0501-1401”

“**38-**” denotes the agency's **IDAPA** number; in this case the Department of Administration.

“**0501-**” refers to the **TITLE AND CHAPTER** numbers of the agency rule being promulgated; in this case the Division of Purchasing (TITLE **05**), Rules of the Division of Purchasing (Chapter **01**).

“**1401**” denotes the year and sequential order of the docket being published; in this case the numbers refer to the first rulemaking action published in **calendar year 2014**. A subsequent rulemaking on this same rule chapter in calendar year 2014 would be designated as “**1402**”. The docket number in this scenario would be 38-0501-**1402**.

Within each Docket, only the affected sections of chapters are printed. (See **Sections Affected Index** in each Bulletin for a listing of these.) The individual sections affected are printed in the Bulletin sequentially (e.g. Section “200” appears before Section “345” and so on). Whenever the sequence of the numbering is broken the following statement will appear:

(BREAK IN CONTINUITY OF SECTIONS)

BULLETIN PUBLICATION SCHEDULE FOR CALENDAR YEAR 2015

Vol. No.	Monthly Issue of Bulletin	Closing Date for Agency Filing	Publication Date	21-day Comment Period End Date
15-1	January 2015	*November 28, 2014	January 7, 2015	January 28, 2015
15-2	February 2015	January 9, 2015	February 4, 2015	February 25, 2015
15-3	March 2015	February 6, 2015	March 4, 2015	March 25, 2015
15-4	April 2015	March 6, 2015	April 1, 2015	April 22, 2015
15-5	May 2015	April 3, 2015	May 6, 2015	May 27, 2015
15-6	June 2015	May 8, 2015	June 3, 2015	June 24, 2015
15-7	July 2015	June 5, 2015	July 1, 2015	July 22, 2015
15-8	August 2015	July 10, 2015	August 5, 2015	August 26, 2015
15-9	September 2015	August 7, 2015	September 2, 2015	September 23, 2015
15-10	October 2015	**September 4, 2015	October 7, 2015	October 28, 2015
15-11	November 2015	October 9, 2015	November 4, 2015	November 25, 2015
15-12	December 2015	November 6, 2015	December 2, 2015	December 23, 2015

BULLETIN PUBLICATION SCHEDULE FOR CALENDAR YEAR 2016

Vol. No.	Monthly Issue of Bulletin	Closing Date for Agency Filing	Publication Date	21-day Comment Period End Date
16-1	January 2016	*November 27, 2015	January 6, 2016	January 27, 2016
16-2	February 2016	January 8, 2016	February 3, 2016	February 24, 2016
16-3	March 2016	February 5, 2016	March 2, 2016	March 23, 2016
16-4	April 2016	March 4, 2016	April 6, 2016	April 27, 2016
16-5	May 2016	April 8, 2016	May 4, 2016	May 25, 2016
16-6	June 2016	May 6, 2016	June 1, 2016	June 22, 2016
16-7	July 2016	June 3, 2016	July 6, 2016	July 27, 2016
16-8	August 2016	July 8, 2016	August 3, 2016	August 24, 2016
16-9	September 2016	August 5, 2016	September 7, 2016	September 28, 2016
16-10	October 2016	**September 2, 2016	October 5, 2016	October 26, 2016
16-11	November 2016	October 7, 2016	November 2, 2016	November 23, 2016
16-12	December 2016	November 4, 2016	December 7, 2016	December 28, 2016

****Last day to submit a proposed rulemaking before moratorium begins and last day to submit a pending rule to be reviewed by the legislature.***

*****Last day to submit a proposed rule in order to have the rulemaking completed and submitted for review by legislature.***

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IDAPA 34	Secretary of State, Office of the
IDAPA 57	Sexual Offender Management Board
IDAPA 49	Shorthand Reporters Board, Idaho Certified
IDAPA 60	Soil and Water Conservation Commission, Idaho State

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IDAPA 36	Tax Appeals, Board of
IDAPA 35	Tax Commission, State
IDAPA 39	Transportation Department, Idaho
IDAPA 54	Treasurer, Office of the State
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IDAPA 46	Veterinary Medical Examiners, Board of
IDAPA 47	Vocational Rehabilitation, Division of
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IDAPA 42	Wheat Commission

**OFFICE OF THE ADMINISTRATIVE RULES COORDINATOR
IDAHO DEPARTMENT OF ADMINISTRATION**

**ADMINISTRATIVE RULES REVIEWED BY THE SIXTY-THIRD LEGISLATURE
OF THE STATE OF IDAHO, SECOND REGULAR SESSION - 2016**

**OMNIBUS NOTICE OF LEGISLATIVE ACTION - SUMMARY OF ACTION TAKEN
ON PENDING, PENDING FEE, TEMPORARY, AND FINAL RULES**

AUTHORITY: In compliance with Sections 67-5224(5), 67-5224(7), 67-5226(3), and 67-5291, Idaho Code, the Administrative Rules Coordinator hereby gives notice that the standing committees of the Sixty-Third Legislature in the Second Regular Session, 2016, completed the review of certain administrative rules of the state agencies of the executive branch. Additionally, in compliance with Section 67-5291, Idaho Code, this notice also serves as official notice for those state agencies whose rules have been rejected in whole or in part by concurrent resolution. The following is a brief explanation of the action taken by the legislature:

It has reviewed the pending rules submitted for review and final approval and has rejected, by concurrent resolution, all or parts of any pending rules that do not meet legislative intent; it has reviewed and approved, by concurrent resolution, pending fees rules, with exceptions; it has reviewed and approved for extension, by concurrent resolution, certain temporary rules that continue to be of full force and effect; and it has rejected certain codified final rules that were previously approved by the legislature.

DESCRIPTIVE SUMMARY: The following tables list those rules that were reviewed as pending, pending fee, and temporary rules during the Second Regular Session of the Sixty-Third Legislature of the state of Idaho, 2016.

All pending rules reviewed by the legislature that were not rejected in whole or in part have been approved and are now final and of full force and effect, unless otherwise specified in the rule. Any pending rule that was rejected in whole or in part is listed in this notice with the corresponding house or senate concurrent resolution affecting it. Pending rule dockets that were rejected in whole, and those parts of a pending rule that were rejected in part, are null, void and of no force and effect. Those pending rules that were partially rejected by concurrent resolution are being reprinted in this Bulletin in their final, codified version. Those rules that were acted on by concurrent resolution became final and of full force and effect upon adoption of the concurrent resolution by both houses of the legislature, unless otherwise specified in the rule. The concurrent resolutions affecting the rules that were reviewed during the 2016 legislative session are also printed in this Bulletin.

In accordance with Section 67-5224(5)(c), Idaho Code, all pending rules imposing or changing a fee or charge that were approved by [Senate Concurrent Resolution No. 153](#) are now final rules and are of full force and effect pursuant to the adoption of the concurrent resolution, unless another effective date has been specified in the pending rule. Pursuant to SCR 153 those pending fee rules that were rejected in their entirety, and those parts of any pending fee rule that were rejected, are null, void and of no force and effect.

In accordance with Section 67-5226(3), Idaho Code, all temporary rules that were submitted for extension have been reviewed and approved by [Senate Concurrent Resolution No. 154](#). As specified in the concurrent resolution, all temporary rules that were reviewed and extended will continue to be of full force and effect until the end of the next legislative session unless they expire under their own terms or other provision of law, or are rescinded.

TEMPORARY, PENDING, AND PENDING FEE RULES: The following tables list all temporary, pending and pending fee rulemakings that were submitted for legislative review for the 2016 legislative session. The list includes the docket number of each pending and temporary rulemaking, the volume number of the Bulletin in which the proposed, pending, and temporary rule notices and text were published, the final effective dates of all approved pending rules, the effective dates of any temporary rules, and the number of the senate or house concurrent resolution, if applicable, affecting the rulemaking. These tables provide final status of all pending, pending fee and temporary rules submitted for legislative review. Final rules that were reviewed and partially rejected are listed by IDAPA number only and not given a docket number because they were not subject to a rulemaking.

TEMPORARY RULES AFFECTED BY SENATE CONCURRENT RESOLUTION 154				
Temporary Rule Docket Number	Bulletin Vol. No.	Temporary Effective Date	Rejected Rule	Action Taken in SCR 154
16-0107-1501	15-1	(1-1-15)T		Approved
17-0209-1503	15-7	(7-1-15)T		Approved
59-0201-1601	16-1	(12-1-15)T		Approved

PENDING FEE RULES AFFECTED BY SENATE CONCURRENT RESOLUTION 153				
Fee Rule Docket Number	Bulletin Vol. No. Pending	Bulletin Vol. No. Proposed	Final Effective Date	Action Taken in SCR 153
07-0203-1501	15-12	15-10	(3-24-16)	Approved
07-0301-1502	15-12	15-10	(3-24-16)	Approved
11-0501-1501	16-1	15-10	Rejected	Rejected All
14-0101-1502	15-12	15-10	(3-24-16)	Approved
16-0201-1401	15-12	15-7	(3-24-16)	Approved
16-0319-1502	16-1	15-9	Rejected	Rejected All
16-0715-1501	16-1	15-9	(7-1-16)	Approved
18-0144-1501	15-11	15-9	(3-24-16)	Approved
24-0001-1500	15-12	15-10	(3-24-16)	Approved
24-1201-1501	15-12	15-10	(3-24-16)	Approved
24-2101-1501	15-12	15-10	(3-24-16)	Approved
24-2401-1501	15-12	15-10	(3-24-16)	Approved
27-0101-1501	15-12	15-10	(3-24-16)	Approved
34-0501-1501	15-11	15-9	(3-24-16)	Approved
39-0226-1501	15-11	15-9	(3-24-16)	Approved
49-0101-1501	15-12	15-10	(3-24-16)	Approved
58-0125-1401	15-12	15-9	(3-24-16)	Approved

PENDING RULES					
REVIEWED BY THE 2016 IDAHO LEGISLATURE					
Docket Number	Bulletin Vol. No. Pending	Bulletin Vol. No. Proposed	Final Rule Effective Date	Action Taken and Rejected Rule	Concurrent Resolution Number
02-0214-1501	15-9	15-7	(3-25-16)	Approved	
02-0421-1501	15-11	15-9	(3-25-16)	Approved	
02-0429-1501	15-11	15-9	(3-25-16)	Approved	
02-0602-1501	15-9	15-7	(3-25-16)	Approved	
02-0612-1501	15-9	15-7	(3-25-16)	Approved	
02-0622-1501	15-11	15-9	(3-25-16)	Approved	
02-0625-1501	15-11	15-9	(3-25-16)	Approved	
02-0641-1501	15-9	15-7	(3-25-16)	Approved	
05-0102-1501	15-11	15-9	(3-25-16)	Approved	
05-0201-1501	15-11	15-9	(3-25-16)	Approved	
05-0202-1501	15-11	15-9	(3-25-16)	Approved	
05-0203-1501	15-11	15-9	(3-25-16)	Approved	
06-0102-1502	15-10	15-10	(11-6-15)	Approved	
07-0301-1501	15-12	15-10	(3-25-16)	Approved	
08-0109-1501	16-1	15-10	(3-25-16)	Approved	
08-0113-1501	16-1	15-10	(3-9-16)	Partial Rejection: 010.01 & 101.02.a.	HCR 45
08-0201-1501	16-1	15-10	(3-25-16)	Approved	
08-0201-1502	16-1	15-11	(3-25-16)	Approved	
08-0202-1501	16-1	15-10	(3-25-16)	Approved	
08-0202-1504	16-1	15-10	(3-25-16)	Approved	
08-0203-1503	16-1	15-6	Rejected	Rejected All	SCR 139
08-0203-1505	16-1	15-10	(3-25-16)	Approved	
08-0203-1506	16-1	15-8	Rejected	Rejected All	SCR 140
08-0203-1507	16-1	15-11	(3-25-16)	Approved	
08-0203-1508	16-1	15-10	(3-25-16)	Approved	
08-0203-1509	16-1	15-10	Rejected	Rejected All	HCR 44
08-0203-1510	16-1	15-10	(3-25-16)	Approved	
08-0203-1511	16-1	15-10	Rejected	Rejected All	SCR 141
08-0501-1501	16-1	15-10	(3-25-16)	Approved	
09-0106-1501	15-11	15-9	(3-25-16)	Approved	

PENDING RULES					
REVIEWED BY THE 2016 IDAHO LEGISLATURE					
Docket Number	Bulletin Vol. No. Pending	Bulletin Vol. No. Proposed	Final Rule Effective Date	Action Taken and Rejected Rule	Concurrent Resolution Number
09-0130-1501	16-1	15-11	(3-25-16)	Approved	
10-0101-1501	15-11	15-9	(3-25-16)	Approved	
10-0104-1501	15-11	15-9	(3-25-16)	Approved	
11-0406-1501	16-1	15-8	(3-25-16)	Approved	
11-0411-1501	16-1	15-8	(3-25-16)	Approved	
11-0411-1502	16-1	15-10	(3-25-16)	Approved	
11-0501-1401	16-1	15-9	Rejected	Rejected All	HCR 40
11-1003-1501	16-1	15-10	(3-25-16)	Approved	
11-1101-1501	16-1	15-10	(3-25-16)	Approved	
11-1104-1501	16-1	15-10	(3-25-16)	Approved	
11-1301-1501	16-1	15-10	(3-25-16)	Approved	
12-0110-1501	16-1	15-10	(3-25-16)	Approved	
13-0102-1501	16-1	15-10	(3-25-16)	Approved	
13-0108-1501	16-1	15-10	(3-25-16)	Approved	
13-0108-1502	16-1	15-10	(3-25-16)	Approved	
13-0109-1501	16-1	15-10	(3-25-16)	Approved	
13-0109-1502	16-1	15-10	(3-25-16)	Approved	
13-0111-1501	16-1	15-10	(3-25-16)	Approved	
13-0111-1502	16-1	15-10	(3-25-16)	Approved	
13-0116-1501	16-1	15-10	Rejected	Rejected All	HCR 55
13-0117-1501	16-1	15-10	(3-25-16)	Approved	
14-0101-1501	15-12	15-10	(3-25-16)	Approved	
15-0202-1501	15-12	15-10	(3-25-16)	Approved	
15-0603-1501	15-11	15-9	(3-25-16)	Approved	
16-0101-1501	16-1	15-8	(7-1-16)	Approved	
16-0102-1501	16-1	15-8	(7-1-16)	Approved	
16-0103-1501	16-1	15-8	(7-1-16)	Approved	
16-0105-1501	16-1	15-8	(7-1-16)	Approved	
16-0107-1502	16-1	15-8	(7-1-16)	Approved	
16-0112-1501	16-1	15-8	(7-1-16)	Approved	
16-0202-1501	16-1	15-10	(7-1-16)	Approved	

PENDING RULES					
REVIEWED BY THE 2016 IDAHO LEGISLATURE					
Docket Number	Bulletin Vol. No. Pending	Bulletin Vol. No. Proposed	Final Rule Effective Date	Action Taken and Rejected Rule	Concurrent Resolution Number
16-0203-1501	16-1	15-8	(7-1-16)	Approved	
16-0219-1501	16-1	15-9	(7-1-16)	Approved	
16-0301-1501	16-1	15-10	(3-25-16)	Approved	
16-0304-1501	16-1	15-10	(7-1-16)	Approved	
16-0305-1501	16-1	15-10	(3-25-16)	Approved	
16-0305-1502	16-1	15-10	(3-25-16)	Approved	
16-0309-1501	16-1	15-10	(7-1-16)	Approved	
16-0309-1502	16-1	15-10	(3-25-16)	Approved	
16-0309-1503	15-12	15-7	(3-25-16)	Approved	
16-0310-1501	16-1	15-10	(7-1-16)	Approved	
16-0313-1501	16-1	15-10	(7-1-16)	Approved	
16-0316-1501	15-11	15-8	(3-25-16)	Approved	
16-0402-1501	16-1	15-10	(3-25-16)	Approved	
16-0413-1501	16-1	15-10	(3-25-16)	Approved	
16-0414-1501	16-1	15-10	(3-25-16)	Approved	
16-0416-1501	16-1	15-10	(3-25-16)	Approved	
16-0501-1501	16-1	15-8	(7-1-16)	Approved	
16-0601-1501	16-1	15-9	(3-25-16)	Approved	
16-0602-1501	16-1	15-9	(7-1-16)	Approved	
16-0701-1501	16-1	15-9	(7-1-16)	Approved	
16-0710-1501	15-12	15-9	(7-1-16)	Approved	
16-0717-1501	16-1	15-9	(7-1-16)	Approved	
16-0720-1501	16-1	15-9	(7-1-16)	Approved	
17-0206-1501	16-1	15-10	(3-25-16)	Approved	
17-0207-1501	16-1	15-10	(3-25-16)	Approved	
17-0208-1501	16-1	15-10	(3-25-16)	Approved	
17-0209-1502	16-1	15-10	(7-1-16)	Approved	
17-0210-1501	16-1	15-10	(3-25-16)	Approved	
17-0211-1501	16-1	15-10	(3-25-16)	Approved	
18-0127-1501	15-11	15-9	(3-25-16)	Approved	
18-0160-1501	15-11	15-9	(3-25-16)	Approved	

PENDING RULES					
REVIEWED BY THE 2016 IDAHO LEGISLATURE					
Docket Number	Bulletin Vol. No. Pending	Bulletin Vol. No. Proposed	Final Rule Effective Date	Action Taken and Rejected Rule	Concurrent Resolution Number
22-0101-1501	16-1	15-9	(3-25-16)	Approved	
22-0115-1501	16-1	15-9	(3-25-16)	Approved	
23-0101-1501	15-12	15-10	(3-25-16)	Approved	
23-0101-1503	15-12	15-10	(3-25-16)	Approved	
24-0301-1501	16-1	15-10	(3-25-16)	Approved	
24-0501-1501	15-12	15-10	(3-25-16)	Approved	
24-0601-1501	15-12	15-10	(3-25-16)	Approved	
24-0801-1501	15-12	15-10	(3-25-16)	Approved	
24-1501-1501	15-12	15-10	(3-25-16)	Approved	
24-1701-1501	15-12	15-10	(3-25-16)	Approved	
24-1801-1501	15-12	15-10	(3-25-16)	Approved	
24-2501-1501	15-12	15-10	(3-25-16)	Approved	
25-0101-1501	16-11	15-10	(3-25-16)	Approved	
26-0106-1501	16-1	15-10	(3-25-16)	Approved	
27-0101-1502	15-12	15-10	(3-25-16)	Approved	
27-0101-1503	15-12	15-10	(3-25-16)	Approved	
27-0101-1504	15-12	15-10	(3-25-16)	Approved	
27-0101-1505	15-12	15-10	(3-25-16)	Approved	
28-0201-1501	16-1	15-10	(7-1-16)	Approved	
31.11.01	Final Rule Rejection		(rej. eff. 3-22-16)	202 & 203, only	HCR 51
31-1101-1501	16-1	15-10	(3-22-16)	Partial Rejection: 202 & 203	HCR 51
31-7103-1501	16-1	15-10	(3-25-16)	Approved	
34-0201-1501	16-1	15-10	(3-25-16)	Approved	
35-0101-1501	15-12	15-9	(3-25-16)	Approved	
35-0101-1502	15-12	15-9	(3-25-16)	Approved	
35-0102-1501	15-12	15-10	(3-25-16)	Approved	
35-0102-1502	15-12	15-10	(3-25-16)	Approved	
35-0102-1504	15-12	15-10	(3-25-16)	Approved	
35-0103-1503	15-12	15-7	(3-25-16)	Approved	
35-0103-1504	15-12	15-9	(3-25-16)	Approved	

PENDING RULES					
REVIEWED BY THE 2016 IDAHO LEGISLATURE					
Docket Number	Bulletin Vol. No. Pending	Bulletin Vol. No. Proposed	Final Rule Effective Date	Action Taken and Rejected Rule	Concurrent Resolution Number
35-0103-1505	15-12	15-9	(3-25-16)	Approved	
35-0105-1501	15-12	15-7	(3-25-16)	Approved	
35-0105-1502	15-12	15-9	(7-1-16), (1-1-17)	Approved	
35-0105-1503	15-12	15-8	(3-25-16)	Approved	
35-0201-1501	15-12	15-10	(3-25-16)	Approved	
38-0301-1501	16-1	15-9	(3-25-16)	Approved	
38-0404-1501	16-1	15-6	(3-25-16)	Approved	
38-0407-1501	16-1	15-6	(3-25-16)	Approved	
38-0501-1501	15-10	15-8	(3-25-16)	Approved	
39-0203-1501	15-11	15-9	(3-25-16)	Approved	
39-0222-1501	15-12	15-10	(3-25-16)	Approved	
39-0301-1501	15-10	15-8	(3-25-16)	Approved	
39-0313-1501	15-12	15-10	(3-25-16)	Approved	
39-0316-1501	15-11	15-9	(3-25-16)	Approved	
39-0317-1501	15-12	15-10	(3-25-16)	Approved	
39-0319-1501	15-11	15-9	(3-25-16)	Approved	
39-0321-1501	15-12	15-10	(3-25-16)	Approved	
39-0322-1501	15-10	15-8	(3-25-16)	Approved	
42-0101-1501	15-10	15-8	(3-14-16)	Partial Rejection: 301.01, 301.02, & 301.03	HCR 49
46-0101-1501	15-10	15-8	(3-25-16)	Approved	
47-0101-1501	16-1	15-11	(3-25-16)	Approved	
50-0101-1501	16-1	15-10	(3-8-16)	Partial Rejection: 250.05	HCR 39
58-0101-1501	15-12	15-8	(3-25-16)	Approved	
58-0102-1201	16-1	15-10	(3-25-16)	Approved	
58-0102-1501	15-12	15-8	(3-25-16)	Approved	
58-0104-1501	15-12	15-9	(3-25-16)	Approved	
58-0105-1501	15-12	15-8	(3-25-16)	Approved	
58-0108-1501	15-12	15-7	(3-25-16)	Approved	
58-0111-1501	15-12	15-6	(3-25-16)	Approved	

PENDING RULES					
REVIEWED BY THE 2016 IDAHO LEGISLATURE					
Docket Number	Bulletin Vol. No. Pending	Bulletin Vol. No. Proposed	Final Rule Effective Date	Action Taken and Rejected Rule	Concurrent Resolution Number
58-0112-1501	15-12	15-9	(3-25-16)	Approved	
59-0103-1402	15-8	15-6	(10-21-14)	Approved	
59-0103-1403	15-8	15-6	(10-21-14)	Approved	
59-0201-1501	15-11	15-9	(7-21-15)	Approved	

FINAL RULES			
AS ACTED ON BY THE 2016 IDAHO LEGISLATURE			
IDAPA Chapter Number	Final Rule Effective Date	Affected Sections	Concurrent Resolution Number
08.01.13	(3-9-16)	010.01 & 101.02.a.	<i>HCR 45</i>
31.11.01	(rej. eff. 3-22-16)	202 & 203, only	<i>HCR 51</i>
31.11.01	(3-22-16)	202 & 203	<i>HCR 51</i>
42.01.01	(3-14-16)	301.01, 301.02, & 301.03	<i>HCR 49</i>
50.01.01	(3-8-16)	250.05	<i>HCR 39</i>

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on questions concerning this notice, contact Dennis Stevenson (208) 332-1820.

DATED this 16th day of April, 2016.

Dennis Stevenson
 Administrative Rules Coordinator
 Office of the Administrative Rules Coordinator
 Department of Administration
 P.O. Box 83720, Boise, ID 83720-0306
 Phone: (208) 332-1820

**OFFICE OF THE ADMINISTRATIVE RULES COORDINATOR
IDAHO DEPARTMENT OF ADMINISTRATION**

**HISTORY NOTES INDEX OF ADMINISTRATIVE RULES REVIEWED AND APPROVED
FOR FINAL ADOPTION DURING THE 2016 SECOND REGULAR SESSION
OF THE SIXTY-THIRD LEGISLATURE OF THE STATE OF IDAHO**

The following table lists all pending rulemakings that were reviewed during the 2016 legislative session and shows the individual rule sections that were affected by these rulemakings. The table includes the docket number of affected chapters, the amended section numbers, the Bulletin publication volumes, and the final effective date of the rule.

If the rule was affected (approved or rejected) by concurrent resolution, the resolution number is listed. If a section or subsection of the pending rule or a final rule was rejected by concurrent resolution, the affected section(s) is listed as rejected. The rejection of an amended section (pending rule) means the previously codified rule remains unchanged.

Effective dates for the pending rules reviewed and approved by the 2016 Idaho Legislature are as follows:

Pending Rules (non-fee): effective date - March 25, 2016 (3-25-16), unless otherwise specified in the pending rule.

Pending Fee Rules approved or partially rejected by [SCR 153](#): effective date - March 24, 2016 (3-24-16).

Pending Rules that were partially rejected by Concurrent Resolution are effective upon adoption of the Concurrent Resolution by the Legislature or as specified in the Pending Rule. All pending rules rejected by Concurrent Resolution are null and void and of no force and effect.

<i>History Notes - Legislative Session 2016</i>				
<i>Chapter and Docket Number</i>	<i>Sections Affected</i>	<i>Bulletin Vol. Proposed Rule</i>	<i>Bulletin Vol. Pending Rule</i>	<i>Final Effective Date</i>
IDAPA 02 - Department of Agriculture				
02.02.14 - Rules for Weights and Measures				
02-0214-1501	004	15-7	15-9	(3-25-16)
02.04.21 - Rules Governing the Importation of Animals				
02-0421-1501	260	15-9	15-11	(3-25-16)
02.04.29 - Rules Governing Trichomoniasis				
02-0429-1501	010, 200, 210, 310, 331, 332, 400-410	15-9	15-11	(3-25-16)
02.06.02 - Rules Pertaining to the Idaho Commercial Feed Law				
02-0602-1501	004	15-7	15-9	(3-25-16)
02.06.12 - Rules Pertaining to the Idaho Fertilizer Law				
02-0612-1501	004	15-7	15-9	(3-25-16)
02.06.22 - Noxious Weed Rules				
02-0622-1501	100	15-9	15-11	(3-25-16)
02.06.25 - Rules Governing the Planting of Beans, other than Phaseolus Species, in Idaho				
02-0625-1501	013, 150, 250	15-9	15-11	(3-25-16)
02.06.41 - Rules Pertaining to the Idaho Soil and Plant Amendment Act of 2001				
02-0641-1501	004	15-7	15-9	(3-25-16)

History Notes - Legislative Session 2016				
<i>Chapter and Docket Number</i>	<i>Sections Affected</i>	<i>Bulletin Vol. Proposed Rule</i>	<i>Bulletin Vol. Pending Rule</i>	<i>Final Effective Date</i>
IDAPA05 - Department of Juvenile Corrections				
05.01.02 - Rules and Standards for Secure Juvenile Detention Centers				
05-0102-1501	212, 216, 223, 224, 226, 228, 234, 245-255, 261	15-9	15-11	(3-25-16)
05.02.01 - Rules for Residential Treatment Providers				
05-0201-1501	010, 205	15-9	15-11	(3-25-16)
05.02.02 - Rules for Staff Secure Providers				
05-0202-1501	010, 220	15-9	15-11	(3-25-16)
05.02.03 - Rules for Reintegration Providers				
05-0203-1501	010, 220	15-9	15-11	(3-25-16)
IDAPA 06 - Board of Correction / Correctional Industries				
06.01.02 - Rules of Correctional Industries				
06-0102-1502	010, 012, 013	15-10	15-10	(11-6-15)
IDAPA 07 - Division of Building Safety				
07.02.03 - Rules Governing Permit Fee Schedule				
07-0203-1501	011 (Fee approved by SCR 153)	15-10	15-12	(3-24-16)
07.03.01 - Rules of Building Safety				
07-0301-1501	004	15-10	15-12	(3-25-16)
07-0301-1502	026, 027, 029 (Fee approved by SCR 153)	15-10	15-12	(3-24-16)
IDAPA 08 - State Board of Education / State Department of Education				
08.01.09 - Rules Governing the GEAR UP Idaho Scholarship Program				
08-0109-1501	500-600	15-10	16-1	(3-25-16)
08.01.13 - Rules Governing the Opportunity Scholarship Program				
08-0113-1501	010-202, 302, 400 (Pending Rule Subsections 010.01 and 101.02.a. rejected by HCR 45)	15-10	16-1	(3-9-16)
08.02.01 - Rules Governing Administration				
08-0201-1501	650	15-10	16-1	(3-25-16)
08-0201-1502	801	15-11	16-1	(3-25-16)

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08.02.02 - Rules Governing Uniformity				
08-0202-1501	005, 007, 015-048, 090-100	15-10	16-1	(3-25-16)
08-0202-1504	004	15-10	16-1	(3-25-16)
08.02.03 - Rules Governing Thoroughness				
08-0203-1503	115 (Pending rule rejected by SCR 139)	15-6	16-1	Null & Void
08-0203-1505	007, 009	15-10	16-1	(3-25-16)
08-0203-1506	004 (Pending rule rejected by SCR 140)	15-8	16-1	Null & Void
08-0203-1507	105	15-11	16-1	(3-25-16)
08-0203-1508	109	15-10	16-1	(3-25-16)
08-0203-1509	004, 008, 105 (Pending rule rejected by HCR 44)	15-10	16-1	Null & Void
08-0203-1510	128	15-10	16-1	(3-25-16)
08-0203-1511	004, 007, 112 (Pending rule rejected by SCR 141)	15-10	16-1	Null & Void
08.05.01 - Rules Governing Seed and Plant Certification				
08-0501-1501	005	15-10	16-1	(3-25-16)

IDAPA 09 - Department of Labor				
09.01.06 - Rules of the Appeals Bureau				
09-0106-1501	026	15-9	15-11	(3-25-16)
09.01.30 - Unemployment Insurance Benefits Administration Rules				
09-0130-1501	575	15-11	16-1	(3-25-16)

IDAPA 10 - Board of Professional Engineers and Land Surveyors				
10.01.01 - Rules of Procedure				
10-0101-1501	011-013, 016-020	15-9	15-11	(3-25-16)
10.01.04 - Rules of Continuing Professional Development				
10-0104-1501	009, 011	15-9	15-11	(3-25-16)

IDAPA 11 - Idaho State Police				
11.04.06 - Rules Governing Racing Officials				
11-0406-1501	010, 055	15-8	16-1	(3-25-16)

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11.04.11 - Rules Governing Equine Veterinary Practices, Permitted Medications, Banned Substances and Drug Testing of Horses				
11-0411-1501	140	15-8	16-1	(3-25-16)
11-0411-1502	010, 120, 160-170	15-10	16-1	(3-25-16)
11.05.01 - Rules Governing Alcohol Beverage Control				
11-0501-1401	010 (Pending rule rejected by HCR 40)	15-9	16-1	Null & Void
11-0501-1501	015 (Fee rule rejected by SCR 153)	15-10	16-1	Null & Void
11.10.03 - Rules Governing the Sex Offender Registry				
11-1003-1501	010, 012	15-10	16-1	(3-25-16)
11.11.01 - Rules of the Idaho Peace Officer Standards and Training Council				
11-1101-1501	010, 041, 042, 056, 071, 096, 101, 102, 171, 176, 177, 251-256, 281-311, 351	15-10	16-1	(3-25-16)
11.11.04 - Rules of the Idaho Peace Officer Standards and Training Council for Correction Officers and Adult Probation and Parole Officers				
11-1104-1501	036, 051, 054, 062, 065	15-10	16-1	(3-25-16)
11.13.01 - The Motor Carrier Rules				
11-1301-1501	004, 012-019	15-10	16-1	(3-25-16)

IDAPA 12 - Department of Finance				
12.01.10 - Rules Pursuant to the Idaho Residential Mortgage Practices Act				
12-0110-1501	005, 050	15-10	16-1	(3-25-16)

IDAPA 13 - Department of Fish and Game				
13.01.02 - Rules Governing Hunter Education and Mentored Hunting				
13-0102-1501	101	15-10	16-1	(3-25-16)
13.01.08 - Rules Governing the Taking of Big Game Animals in the State of Idaho				
13-0108-1501	201, 260	15-10	16-1	(3-25-16)
13-0108-1502	260	15-10	16-1	(3-25-16)
13.01.09 - Rules Governing the Taking of Game Birds in the State of Idaho				
13-0109-1501	400	15-10	16-1	(3-25-16)
13-0109-1502	300	15-10	16-1	(3-25-16)

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13.01.11 - Rules Governing Fish				
13-0111-1501	104	15-10	16-1	(3-25-16)
13-0111-1502	004, 202, 403, 504, 505	15-10	16-1	(3-25-16)
13.01.16 - The Trapping of Predatory and Unprotected Wildlife and the Taking of Furbearing Animals				
13-0116-1501	106 (Pending rule rejected by HCR 55)	15-10	16-1	Null & Void
13.01.17 - Rules Governing the Use of Bait and Trapping for Taking Big Game Animals				
13-0117-1501	100	15-10	16-1	(3-25-16)

IDAPA 14 - Board of Registration of Professional Geologists				
14.01.01 - Rules of Procedure of the Board of Registration for Professional Geologists				
14-0101-1501	010, 200-400	15-10	15-12	(3-25-16)
14-0101-1502	150 (Fee approved by SCR 153)	15-10	15-12	(3-24-16)

IDAPA 15 - Office of the Governor				
Idaho Commission for the Blind and Visually Impaired				
15.02.02 - Vocational Rehabilitation Services				
15-0202-1501	110, 300	15-10	15-12	(3-25-16)
Military Division - Public Safety Communications				
15.06.03 - Public Safety Communications Systems Installation and Maintenance Fee Rules				
15-0603-1501	005, 007	15-9	15-11	(3-25-16)

IDAPA 16 - Department of Health and Welfare				
16.01.01 - Emergency Medical Services (EMS) -- Advisory Committee (EMSAC)				
16-0101-1501	110-120	15-8	16-1	(7-1-16)
16.01.02 - Emergency Medical Services (EMS) -- Rule Definitions				
16-0102-1501	001, 011-013	15-8	16-1	(7-1-16)
16.01.03 - Emergency Medical Services (EMS) -- Agency Licensing Requirements				
16-0103-1501	204, 205, 300, 305, 535, 700, 816, 969, 990	15-8	16-1	(7-1-16)
16.01.05 - Emergency Medical Services (EMS) -- Education, Instructor, and Examination Requirements				
16-0105-1501	New Chapter	15-8	16-1	(7-1-16)

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16.01.07 - Emergency Medical Services (EMS) -- Personnel Licensing Requirements				
16-0107-1502	004, 006, 075-099, 106-110, 116-125, 131-140, 300-401	15-8	16-1	(7-1-16)
16.01.12 - Emergency Medical Services (EMS) -- Complaints, Investigations, and Disciplinary Actions				
16-0112-1501	001, 110, 200-210, 240, 300-340, 350	15-8	16-1	(7-1-16)
16.02.01 - Rules of the Idaho Time Sensitive Emergency System Council				
16-0201-1401	New Chapter (Fee approved by SCR 153)	15-7	15-12	(3-24-16)
16.02.02 - Rules of the Idaho Emergency Medical Services (EMS) Physician Commission				
16-0202-1501	004	15-10	16-1	(7-1-16)
16.02.03 - Emergency Medical Services				
16-0203-1501	Chapter Repeal	15-8	16-1	(7-1-16)
16.02.19 - Food Safety and Sanitation Standards for Food Establishments (The Idaho Food Code)				
16-0219-1501	001, 004, 006, 100-200, 210-300, 350-355, 600-700, 800-850, 860	15-9	16-1	(7-1-16)
16.03.01 - Eligibility for Health Care Assistance for Families and Children				
16-0301-1501	221, 419, 532	15-10	16-1	(3-25-16)
16.03.04 - Rules Governing the Food Stamp Program in Idaho				
16-0304-1501	010, 181, 305	15-10	16-1	(7-1-16)
16.03.05 - Rules Governing Eligibility for Aid to the Aged, Blind and Disabled (AABD)				
16-0305-1501	723, 725	15-10	16-1	(3-25-16)
16-0305-1502	105, 402	15-10	16-1	(3-25-16)
16.03.09 - Medicaid Basic Plan Benefits				
16-0309-1501	730-734, 850-855, 857	15-10	16-1	(7-1-16)
16-0309-1502	210, 230, 399, 413, 500-502, 560, 562-565, 570-576	15-10	16-1	(3-25-16)
16-0309-1503	215	15-7	15-12	(3-25-16)
16.03.10 - Medicaid Enhanced Plan Benefits				
16-0310-1501	011, 013, 075, 302, 304, 308-317, 328, 329, 508, 513, 515-521, 524-526, 528, 645-648, 651, 653, 654, 663, 680, 683, 703, 723, 727, 731	15-10	16-1	(7-1-16)
16.03.13 - Consumer-Directed Services				
16-0313-1501	010, 101, 120, 136, 160-170, 200, 301,	15-10	16-1	(7-1-16)
16.03.16 - Premium Assistance				
16-0316-1501	Chapter Repeal	15-8	15-11	(3-25-16)

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16.03.19 - Rules Governing Certified Family Homes				
16-0319-1502	109, 403 (Fee rule rejected by SCR 153)	15-9	16-1	Null & Void
16.04.02 - Idaho Telecommunication Service Assistance Program Rules				
16-0402-1501	010-100	15-10	16-1	(3-25-16)
16.04.13 - Rules Governing the Emergency Food Assistance Program				
16-0413-1501	004, 006, 007	15-10	16-1	(3-25-16)
16.04.14 - Rules Governing the Low Income Home Energy Assistance Program				
16-0414-1501	004, 010, 102, 200, 201, 204	15-10	16-1	(3-25-16)
16.04.16 - Weatherization Assistance Program in Idaho				
16-0416-1501	010-050, 300-500	15-10	16-1	(3-25-16)
16.05.01 - Use and Disclosure of Department Records				
16-0501-1501	011	15-8	16-1	(7-1-16)
16.06.01 - Child and Family Services				
16-0601-1501	013, 702, 703, 911	15-9	16-1	(3-25-16)
16.06.02 - Rules Governing Standards for Child Care Licensing				
16-0602-1501	457, 583	15-9	16-1	(7-1-16)
16.07.01 - Behavioral Health Sliding Fee Schedules				
16-0701-1501	000, 005, 010, 300-600	15-9	16-1	(7-1-16)
16.07.10 - Behavioral Health Development Grants				
16-0710-1501	Chapter Repeal	15-9	15-12	(7-1-16)
16.07.15 - Behavioral Health Programs				
16-0715-1501	New Chapter (Fee approved by SCR 153)	15-9	16-1	(7-1-16)
16.07.17 - Alcohol and Substance Use Disorders Services				
16-0717-1501	000-005, 009-415	15-9	16-1	(7-1-16)
16.07.20 - Alcohol and Substance Use Disorders Treatment and Recovery Support Services Facilities and Programs				
16-0720-1501	Chapter Repeal	15-9	16-1	(7-1-16)

IDAPA 17 - Industrial Commission				
17.02.06 - Employers' Reports				
17-0206-1501	021	15-10	16-1	(3-25-16)

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17.02.07 - Procedures to Obtain Compensation				
17-0207-1501	004-012	15-10	16-1	(3-25-16)
17.02.08 - Miscellaneous Provisions				
17-0208-1501	061	15-10	16-1	(3-25-16)
17.02.09 - Medical Fees				
17-0209-1502	030, 032	15-10	16-1	(7-1-16)
17.02.10 - Administrative Rules of the Industrial Commission Under the Workers' Compensation Law -- Security for Compensation -- Insurance Carriers				
17-0210-1501	010-051	15-10	16-1	(3-25-16)
17.02.11 - Administrative Rules of the Industrial Commission Under the Workers' Compensation Law -- Security for Compensation -- Self-Insured Employers				
17-0211-1501	010-014, 051	15-10	16-1	(3-25-16)

IDAPA 18 - Department of Insurance				
18.01.27 - Self-Funded Employee Health Care Plans Rule				
18-0127-1501	001, 010-021, 023, 026-032	15-9	15-11	(3-25-16)
18.01.44 - Schedule of Fees, Licenses, and Miscellaneous Charges				
18-0144-1501	020-040 (Fee approved by SCR 153)	15-9	15-11	(3-24-16)
18.01.60 - Long-Term Care Insurance Minimum Standards				
18-0160-1501	004-006, 012, 014, 015, 017-019, 027, 028, 035	15-9	15-11	(3-25-16)

IDAPA 22 - Board of Medicine				
22.01.01 - Rules of the Board of Medicine for the Licensure to Practice Medicine and Surgery and Osteopathic Medicine and Surgery in Idaho				
22-0101-1501	051	15-9	16-1	(3-25-16)
22.01.15 - Rules Relating to Telehealth Services				
22-0115-1501	New Chapter	15-9	16-1	(3-25-16)

IDAPA 23 - Board of Nursing				
23.01.01 - Rules of the Idaho Board of Nursing				
23-0101-1501	061-064	15-10	15-12	(3-25-16)
23-0101-1503	402	15-10	15-12	(3-25-16)

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IDAPA 24- Bureau of Occupational Licenses				
24.00.01 - Licensing Boards Served by the Bureau of Occupational Licenses				
24-0001-1500	24.05.01.200, 24.06.01.041, 24.07.01.400, 24.13.01.200, 24.18.01.150, 24.22.01.175, 24.25.01.175, 24.27.01.250 & 24.27.400 (Fees approved by SCR 153)	15-10	15-12	(3-24-16)
24.03.01 - Rules of the State Board of Chiropractic Physicians				
24-0301-1501	020	15-10	16-1	(3-25-16)
24.05.01 - Rules of the Board of Drinking Water and Wastewater Professionals				
24-0501-1501	335-340, 650, Appendix A	15-10	15-12	(3-25-16)
24.06.01 - Rules for the Licensure of Occupational Therapists and Occupational Therapy Assistants				
24-0601-1501	004, 012, 022, 025, 030	15-10	15-12	(3-25-16)
24.08.01 - Rules of the State Board of Morticians				
24-0801-1501	200, 450	15-10	15-12	(3-25-16)
24.12.01 - Rules of the Idaho State Board of Psychologist Examiners				
24-1201-1501	004, 150, 250, 401 (Fee approved by SCR 153)	15-10	15-12	(3-24-16)
24.15.01 - Rules of the Idaho Licensing Board of Professional Counselors and Marriage and Family Therapists				
24-1501-1501	004, 200-225, 239	15-10	15-12	(3-25-16)
24.17.01 - Rules of the State Board of Acupuncture				
24-1701-1501	301, 305	15-10	15-12	(3-25-16)
24.18.01 - Rules of the Real Estate Appraiser Board				
24-1801-1501	004, 010, 700	15-10	15-12	(3-25-16)
24.21.01 - Rules of the Idaho State Contractors Board				
24-2101-1501	175 (Fee approved by SCR 153)	15-10	15-12	(3-24-16)
24.24.01 - Rules of the Genetic Counselors Licensing Board				
24-2401-1501	New Chapter (Fee approved by SCR 153)	15-10	15-12	(3-24-16)
24.25.01 - Rules of the Idaho Driving Businesses Licensure Board				
24-2501-1501	250	15-10	15-12	(3-25-16)

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IDAPA 25 - Outfitters & Guides Licensing Board				
25.01.01 - Rules of the Idaho Outfitters and Guides Licensing Board				
25-0101-1501	059	15-10	16-11	(3-25-16)

IDAPA 26 - Department of Parks & Recreation				
26.01.06 - Rules Governing Cooperator Recognition and Sale of Advertising				
26-0106-1501	New Chapter	15-10	16-1	(3-25-16)

IDAPA 27 - Board of Pharmacy				
27.01.01 - Rules of the Idaho State Board of Pharmacy				
27-0101-1501	021, 031, 040, 210, 710 (Fee approved by SCR 153)	15-10	15-12	(3-24-16)
27-0101-1502	620, 630	15-10	15-12	(3-25-16)
27-0101-1503	010, 012, 239	15-10	15-12	(3-25-16)
27-0101-1504	016, 060, 116, 310	15-10	15-12	(3-25-16)
27-0101-1505	011	15-10	15-12	(3-25-16)

IDAPA 28 - Department of Commerce				
28.02.01 - Idaho Community Development Block Grant Program (ICDBG)				
28-0201-1501	000, 004, 009-011, 016-020, 022-051, 053-062, 072-074, 081, 084-090, 096, 097, 099-101, 107, 108, 111-116, 118-152, 225	15-10	16-1	(7-1-16)

IDAPA 31 - Public Utilities Commission				
31.11.01 - Safety and Accident Reporting Rules for Utilities Regulated by the Idaho Public Utilities Commission				
31-1101-1501	201-203 (Pending Rule Sections 202 & 203; and Final Rule Sections 202 & 203 rejected by HCR 51)	15-10	16-1	(3-22-16)
31.71.03 - Railroad Safety and Accident Reporting Rules				
31-7103-1501	103, 104	15-10	16-1	(3-25-16)

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IDAPA 34 - Secretary of State				
34.02.01 - Presidential Primary				
34-0201-1501	Chapter Repeal	15-10	16-1	(3-25-16)
34.05.01 - Rules Governing Farm Products Central Filing System				
34-0501-1501	200, 303 (Fee approved by SCR 153)	15-9	15-11	(3-24-16)
IDAPA 35 - State Tax Commission				
35.01.01 - Income Tax Administrative Rules				
35-0101-1501	016, 171, 291	15-9	15-12	(3-25-16)
35-0101-1502	075, 130, 173, 201, 252, 263, 771, 855	15-9	15-12	(3-25-16)
35.01.02 - Idaho Sales and Use Tax Administrative Rules				
35-0102-1501	027, 056, 107	15-10	15-12	(3-25-16)
35-0102-1502	041, 050, 072, 079, 083, 103, 128	15-10	15-12	(3-25-16)
35-0102-1504	081, 099, 110	15-10	15-12	(3-25-16)
35.01.03 - Property Tax Administrative Rules				
35-0103-1503	803, 804	15-7	15-12	(3-25-16)
35-0103-1504	315, 626	15-9	15-12	(3-25-16)
35-0103-1505	006, 627, 632-645, 802	15-9	15-12	(3-25-16)
35.01.05 - Idaho Motor Fuels Tax Administrative Rules				
35-0105-1501	110	15-7	15-12	(3-25-16)
35-0105-1502	280, 422	15-9	15-12	(7-1-16), (1-1-17)
35-0105-1503	004, 115, 132, 410, 510	15-8	15-12	(3-25-16)
35.02.01 - Tax Commission Administration and Enforcement Rules				
35-0201-1501	310, 400, 704	15-10	15-12	(3-25-16)
IDAPA 38 - Department of Administration				
38.03.01 - Rules Governing Group Insurance				
38-0301-1501	011	15-9	16-1	(3-25-16)
38.04.04 - Rules Governing Capitol Mall Parking				
38-0404-1501	005, 022, 030, 040	15-6	16-1	(3-25-16)

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38.04.07 - Rules Governing Use of the Interior of State Property in the Capitol Mall and Other State Facilities				
38-0407-1501	001, 010, 302	15-6	16-1	(3-25-16)
38.05.01 - Rules of the Division of Purchasing				
38-0501-1501	011	15-8	15-10	(3-25-16)

IDAPA 39 - Idaho Transportation Department				
39.02.03 - Rules Governing Vehicle Dealer's Principal Place of Business				
39-0203-1501	100	15-9	15-11	(3-25-16)
39.02.22 - Rules Governing Registration and Permit Fee Administration				
39-0222-1501	100, 300-602, 702-800	15-10	15-12	(3-25-16)
39.02.26 - Rules Governing Temporary Vehicle Clearance for Carriers				
39-0226-1501	001-300 (Fee approved by SCR 153)	15-9	15-11	(3-24-16)
39.03.01 - Rules Governing Definitions Regarding Overlegal Permits				
39-0301-1501	010	15-8	15-10	(3-25-16)
39.03.13 - Rules Governing Overweight Permits				
39-0313-1501	100-500	15-10	15-12	(3-25-16)
39.03.16 - Rules Governing Oversize Permits for Non-Reducible Vehicles and/or Loads				
39-0316-1501	100, 300-400	15-9	15-11	(3-25-16)
39.03.17 - Rules Governing Permits for Manufactured Homes, Modular Buildings, and Office Trailers				
39-0317-1501	100-400	15-10	15-12	(3-25-16)
39.03.19 - Rules Governing Annual Overlegal Permits				
39-0319-1501	004, 005, 100	15-9	15-11	(3-25-16)
39.03.21 - Rules Governing Overlegal Permit Fees				
39-0321-1501	200-300	15-10	15-12	(3-25-16)
39.03.22 - Rules Governing Overlegal Permits for Extra-Length, Excess Weight, and Up to 129,000 Pound Vehicle Combinations				
39-0322-1501	200-300	15-8	15-10	(3-25-16)

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<i>Chapter and Docket Number</i>	<i>Sections Affected</i>	<i>Bulletin Vol. Proposed Rule</i>	<i>Bulletin Vol. Pending Rule</i>	<i>Final Effective Date</i>
IDAPA 42 - Idaho Wheat Commission				
42.01.01 - Rules of the Idaho Wheat Commission				
42-0101-1501	000-400 (Proposed amendments to codified Subsections 301.01, 02, and 03 rejected by HCR 49)	15-8	15-10	(3-14-16)

IDAPA 46 - Board of Veterinary Medical Examiners				
46.01.01 - Rules of the State of Idaho Board of Veterinary Medicine				
46-0101-1501	015	15-8	15-10	(3-25-16)

IDAPA 47 - Division of Vocational Rehabilitation				
47.01.01 - Rules of the Idaho Division of Vocational Rehabilitation				
47-0101-1501	004	15-11	16-1	(3-25-16)

IDAPA 49 - Certified Shorthand Reporters Board				
49.01.01 - Rules of Procedure of the Idaho Certified Shorthand Reporters Board				
49-0101-1501	125 (Fee approved by SCR 153)	15-10	15-12	(3-24-16)

IDAPA 50 - Commission of Pardons and Parole				
50.01.01 - Rules of the Commission of Pardons and Parole				
50-0101-1501	010, 102, 108, 150, 200-400, 500-552, 800 (Pending Rule Subsection 250.05 rejected by HCR 39)	15-10	16-1	(3-8-16)

IDAPA 58 - Department of Environmental Quality				
58.01.01 - Rules for the Control of Air Pollution in Idaho				
58-0101-1501	008, 107, 200, 563, 564	15-8	15-12	(3-25-16)
58.01.02 - Water Quality Standards				
58-0102-1201	010, 070, 210, 284, 400	15-10	16-1	(3-25-16)
58-0102-1501	010, 102	15-8	15-12	(3-25-16)
58.01.04 - Rules for Administration of Wastewater Treatment Facility Grants				
58-0104-1501	030	15-9	15-12	(3-25-16)

History Notes - Legislative Session 2016				
<i>Chapter and Docket Number</i>	<i>Sections Affected</i>	<i>Bulletin Vol. Proposed Rule</i>	<i>Bulletin Vol. Pending Rule</i>	<i>Final Effective Date</i>
58.01.05 - Rules and Standards for Hazardous Waste				
58-0105-1501	002, 004-018	15-8	15-12	(3-25-16)
58.01.08 - Idaho Rules for Public Drinking Water Systems				
58-0108-1501	002, 003, 100, 150, 300, 303, 305, 552	15-7	15-12	(3-25-16)
58.01.11 - Ground Water Quality Rule				
58-0111-1501	150, 301, 400, 401	15-6	15-12	(3-25-16)
58.01.12 - Rules for Administration of Water Pollution Control Loans				
58-0112-1501	021	15-9	15-12	(3-25-16)
58.01.25 - Rules Regulating the Idaho Pollutant Discharge Elimination System Program				
58-0125-1401	New Chapter (Fee approved by SCR 153)	15-9	15-12	(3-24-16)

IDAPA 59 - Public Employees Retirement System (PERSI)				
59.01.03 - PERSI Contribution Rules				
59-0103-1402	026-028, 100, 101	15-6	15-8	(10-21-14)
59-0103-1403	027	15-6	15-8	(10-21-14)
59.02.01 - Rules for the Judges' Retirement Fund				
59-0201-1501	010, 100, 101, 103, 406, 407	15-9	15-11	(7-21-15)

IDAPA 07 - DIVISION OF BUILDING SAFETY

07.01.06 - RULES GOVERNING THE USE OF NATIONAL ELECTRICAL CODE

DOCKET NO. 07-0106-1601

NOTICE OF INTENT TO PROMULGATE RULES - NEGOTIATED RULEMAKING

AUTHORITY: In compliance with Sections 67-5220(1) and 67-5220(2), Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Sections 54-1001 and 54-1006(5), Idaho Code.

MEETING SCHEDULE: A public meeting on the negotiated rulemaking by the Idaho Electrical Board will be held as follows:

Thursday, July 21, 2016 - 9:30 a.m. (MDT)

**Idaho Division of Building Safety
1090 E. Watertower, Suite 150
Meridian, Idaho 83642**

Via video teleconferencing:

**1250 Ironwood Drive, Suite 220
Coeur d'Alene, Idaho 83814**

**2055 Garrett Way, Bld. 1, Suite 4
Pocatello, Idaho 83201**

During the scheduled public meeting, additional negotiated rulemaking meetings may be established by the Division, if necessary. Adequate notice of the dates, locations, and manner of participation of any such additional meetings will be posted on the Division of Building Safety website at <http://dbs.idaho.gov>.

METHOD OF PARTICIPATION: Persons wishing to participate in the negotiated rulemaking must do the following:

Interested members of the public who wish to participate must submit any written comments, questions, recommendations, or ideas to the Idaho Electrical Board on designated forms available at the Division of Building Safety website <http://dbs.idaho.gov> and at the DBS offices in Meridian, Coeur d'Alene, and Pocatello, Idaho. Individuals may also attend the public meeting to be conducted on the above date during which the Idaho Electrical Board will allow oral comments or presentations to be made. In addition to participation at the scheduled Board meeting, the Division is aware of a collaborative group that has been formed to work on this issue. More information regarding meetings and other activities involving the collaborative is available by contacting Steve keys at the Division of Building Safety at (208) 334-8689 or at steve.keys@dbs.idaho.gov.

DESCRIPTIVE SUMMARY: The following is a statement in nontechnical language of the substance and purpose of the intended negotiated rulemaking and the principle issues involved:

Pursuant to Section 54-1001, Idaho Code, the Idaho Electrical Board has the authority through the promulgation of rules to adopt and amend the National Electrical Code. The Electrical Board desires to adopt a new edition and/or amend provisions of this code as it determines necessary through the negotiated rulemaking process. Additionally, pursuant to Section 54-1001A, Idaho Code, the Idaho Division of Building Safety is directed to promulgate rules governing the use, inspection and safety of submersible well pumps in Idaho's lakes, rivers and streams. The Division in collaboration with the Idaho Electrical Board desires to amend provisions of the National Electrical Code it determines necessary through the negotiated rulemaking process to satisfy the provisions of Section 54-1001A, Idaho Code. The Board seeks the participation of the affected industry, enforcement jurisdictions, and the public at large in this rulemaking process to ensure that due consideration is given to varying views about the adoption of new codes, and rules related to the installation of submersible well pumps in Idaho.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING COPIES: For assistance on technical questions concerning this negotiated rulemaking or to obtain a copy of the preliminary draft of the text of the proposed rule, contact Steve Keys, Deputy Administrator – Operations, (208) 332-8986.

Anyone may submit written comments regarding this negotiated rulemaking. All written comments, questions, recommendations, or ideas must be directed to the undersigned and must be submitted on the appropriate form to the Division of Building Safety or the Idaho Electrical Board on or before July 1, 2016. Forms may be submitted via email to neg.rules@dbs.idaho.gov.

DATED this 27th Day of April, 2016.

Steve Keys, Deputy Administrator - Operations
Division of Building Safety
1090 E. Watertower St., Ste. 150
P. O. Box 83720
Meridian, ID 83642
Phone: (208) 332-8986
Fax: (877) 810-2840

IDAPA 08 - STATE BOARD OF AND STATE DEPARTMENT OF EDUCATION

08.01.13 - RULES GOVERNING THE OPPORTUNITY SCHOLARSHIP PROGRAM

DOCKET NO. 08-0113-1501

NOTICE OF LEGISLATIVE ACTION - AGENCY FILING - FINAL RULE

AUTHORITY: In compliance with Sections 67-5224 and 67-5291, Idaho Code, notice is hereby given that the legislature has taken action by concurrent resolution on the pending rule promulgated under Docket No. 08-0113-1501. The affected sections are being reprinted here pursuant to this legislative action in its final version pursuant to House Concurrent Resolution (HCR) 45.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement regarding the partial rejection:

Pursuant to **HCR 45**, IDAPA 08.01.13, the State Board of and State Department of Education, "Rules Governing the Opportunity Scholarship Program," amendments to Section 010, Subsection 01, and Section 101, Subsection 02.a., only, adopted as pending rules under Docket Number **08-0113-1501**, are not consistent with legislative intent and are rejected and declared null, void and of no force and effect. Only Sections 010 and 101 are reprinted here as affected by HCR 45 following this notice.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this notice, contact Dennis Stevenson, Administrative Rules Coordinator, at (208) 332-1820.

DATED this 20th day of April, 2016.

Dennis Stevenson
Administrative Rules Coordinator
Office of the Administrative Rules Coordinator
Department of Administration
P. O. Box 83720, Boise, ID 83720-0306
email: rulescoordinator@adm.idaho.gov

**The pending rule adopted under this docket was partially rejected by HCR 45.
The following rule text is the codified final rule and includes the rejected
pending rule text shown here as ~~underscored and stricken~~.**

010. DEFINITIONS.

01. Grade Point Average (GPA). Means the ~~cumulative, unweighted grade point~~ average grade earned by a student, figured by dividing the grade points earned by the number of credits attempted. (3-20-14)(~~_____~~)

011. -- 100. (RESERVED)

101. ELIGIBILITY.

01. Undergraduate Student. An eligible student must be pursuing their first undergraduate certificate or degree. A student may have received multiple certificates or degrees as part of the natural progression towards a recognized baccalaureate degree program. A student who is enrolled in a graduate program, but who has not yet earned a baccalaureate degree, is not eligible for an opportunity scholarship. A student enrolled in an undergraduate program is eligible for consideration for an opportunity scholarship, even if some of the student's courses are at the graduate level. (3-20-14)

02. Academic Eligibility. (4-2-08)

a. Applicants for the opportunity scholarship are selected as recipients, in part, on the basis of their cumulative ~~unweighted~~ GPA. (3-20-14) ~~(3-9-16)~~

b. To be eligible for an opportunity scholarship, an applicant must meet minimum academic eligibility criteria, as follows: (3-20-14)

i. A student who has not yet graduated from secondary school or its equivalent in the state of Idaho must have an un-weighted minimum cumulative grade point of average of three point zero (3.0) or better on a scale of four point zero (4.0) to be eligible to apply for an opportunity scholarship. Home schooled students must provide a transcript of subjects taught and grades received signed by the parent or guardian of the student; or (3-9-16)

ii. A student who has obtained a general equivalency diploma must have taken the ACT assessment and received a minimum composite score of twenty (20) or better, or the equivalent SAT assessment and received a nine hundred fifty (950) or better, to be academically eligible to apply for an opportunity scholarship; or (3-9-16)

iii. A student currently enrolled in an eligible Idaho postsecondary educational institution must have a minimum cumulative grade point average of three point zero (3.0) or better on a scale of four point zero (4.0) at such institution in order to be academically eligible to apply for an opportunity scholarship. (3-20-14)

03. Financial Eligibility. Applicants for the opportunity scholarship are selected as recipients, in part, on the basis of demonstrated financial need. The tool used to determine financial need will be the Free Application for Federal Student Aid (FAFSA), used by the United States Department of Education. The financial need of an applicant for an opportunity scholarship will be based upon the validated expected family contribution, as identified by the FAFSA Student Aid report. The Student Aid report used to calculate financial need will be the report generated on the March 1 application deadline. (3-20-14)

04. Additional Eligibility Requirements. (4-2-08)

a. A student must not be in default on a student educational loan, or owe a repayment on a federal grant, and must be in good financial standing with the opportunity scholarship program. (3-20-14)

b. If a student has attempted or completed more than one hundred (100) postsecondary academic credits, then such student must identify his or her major, the required number of credits necessary for graduation in such major, and shall submit an academic transcript that contains all courses taken and all postsecondary academic credit received to the Board office. A student shall not be eligible for an opportunity scholarship if: (3-20-14)

i. The student is not meeting satisfactory academic progress at the eligible Idaho postsecondary educational institution the student is attending at the time he or she applies for an opportunity scholarship; (4-2-08)

ii. The student has completed more than one hundred fifty percent (150%) of the courses and academic credit necessary to graduate in such major; or (4-2-08)

iii. Upon review of the student's academic transcript(s), the student cannot complete their degree/certificate in the major they have identified within two (2) semesters based on normal academic course load unless a determination by the executive director has been made that there are extenuating circumstances and the student has a plan approved by the executive director outlining the courses that will be taken and the completion date of the degree or certificate. (3-9-16)

IDAPA 08 - STATE BOARD OF AND STATE DEPARTMENT OF EDUCATION

08.02.02 - RULES GOVERNING UNIFORMITY

DOCKET NO. 08-0202-1605

NOTICE OF INTENT TO PROMULGATE RULES - NEGOTIATED RULEMAKING

AUTHORITY: In compliance with Section 67-5220, Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Sections 33-1006, and 33-1501 through 33-1512, Idaho Code.

METHOD OF PARTICIPATION: Interested persons wishing to participate in the negotiated rulemaking must respond to this notice by contacting the undersigned either in writing, by email, or by calling the phone number listed below. To participate, responses must be received by May 20, 2016. Should a reasonable number of persons respond to this notice, negotiated meetings will be scheduled and all scheduled meetings shall be posted and made accessible on the agency website at the address listed below.

Failure of interested persons to respond to this notice of intent or the lack of a sufficient number of responses to this notice of intent may result in the discontinuation of further informal proceedings. In either event, the agency shall have sole discretion in determining the feasibility of scheduling and conducting informal negotiated rulemaking and may proceed directly to formal rulemaking if proceeding with negotiated rulemaking is deemed infeasible.

Regardless of whether a negotiated meeting is scheduled, written comments and recommendations will be taken via mail, email, or fax directed to the contact listed below or through our website at sde.idaho.gov/topics/admin-rules/ until May 26, 2016. Upon conclusion of the negotiated rulemaking, any unresolved issues, all key issues considered, and conclusions reached during the negotiated rulemaking will be addressed in a written summary and made available on the agency website.

DESCRIPTIVE SUMMARY AND STATEMENT OF PURPOSE: The following is a statement in nontechnical language of the substance and purpose of the intended negotiated rulemaking and the principle issues involved:

The National School Transportation Specifications and Procedures were changed and approved at the 16th National Congress on School Transportation in May of 2015. The revised edition of the Incorporated by Reference document, Standards for Idaho School Buses and Operations, reflect the changes from the national level. Additional language was added to increase clarification, or to reflect manufacturing or operational procedures. The changes to the Standards for Idaho School Buses and Operations include: the format of school bus specifications as well as the actual specifications, alternative fuels, school bus inspections, general operations, disabilities-special health care, Idaho School Bus Withdrawal from Service Standards, and others. The rule would reflect a new approval date of the Standards for Idaho School Buses and Operations by the State Board of Education.

ASSISTANCE ON TECHNICAL QUESTIONS, MEETING ACCOMMODATIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING DRAFT COPIES: For assistance on technical questions concerning this negotiated rulemaking, requests for special meeting accommodations or accessibility, or to obtain a preliminary draft copy of the rule text, contact Doug Scott, Director of Student Transportation, at (208) 332-6856 or ddscott@sde.idaho.gov. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the State Department of Education's web site at the following web address: sde.idaho.gov/topics/admin-rules/.

DATED this 25th Day of April, 2016.

Sherri Ybarra, Superintendent of Public Instruction
650 West State Street, 2nd Floor
Boise, ID 83720-0027
Office: (208) 332-6800 / Fax: (208) 334-2228

**IDAPA 10 - BOARD OF PROFESSIONAL ENGINEERS AND
PROFESSIONAL LAND SURVEYORS**

10.01.01 - RULES OF PROCEDURE

DOCKET NO. 10-0101-1601

NOTICE OF INTENT TO PROMULGATE RULES - NEGOTIATED RULEMAKING

AUTHORITY: In compliance with Sections 67-5220(1) and 67-5220(2), Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Section 54-1208, Idaho Code.

MEETING SCHEDULE: A public meeting on the negotiated rulemaking will be held as follows:

Wednesday, June 8, 2016 - 10:00 AM

**Board Office
1510 E Watertower, Ste 110
Meridian, Idaho**

The meeting site will be accessible to persons with disabilities, if needed. Requests for accommodation must be made not later than five (5) days prior to the meeting to the agency address below.

METHOD OF PARTICIPATION: Persons wishing to participate in the negotiated rulemaking must do the following: attend the meeting and present your views and thoughts on the draft amendments or submit your views and thoughts in writing not later than June 17, 2016.

Upon conclusion of the negotiated rulemaking, any unresolved issues, all key issues considered, and conclusion reached during the negotiated rulemaking will be addressed in a written summary and made available on the agency website.

DESCRIPTIVE SUMMARY AND STATEMENT OF PURPOSE: The following is a statement in nontechnical language of the substance and purpose of the intended negotiated rulemaking and the principle issues involved: The draft amendments will update the education requirements for licensure as a professional land surveyor for applicants with unaccredited surveying or related programs. The update aligns Idaho's education requirements with those used in most states and broadens the course options for those with unaccredited or non-surveying 4-year degrees. It provides more educational choices for those seeking to enter the land surveying profession.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING DRAFT COPIES: For assistance on technical questions concerning this negotiated rulemaking or to obtain a preliminary draft copy of the rule text, contact Keith Simila, P.E., (208) 373-7210. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the board's web site at the following web address: <http://www.ipels.idaho.gov>.

Anyone may submit written comments regarding this negotiated rulemaking. All written comments must be directed to the undersigned and must be delivered on or before June 17, 2016.

DATED this 14th Day of April, 2016.

Keith Simila, Executive Director
Board of Professional Engineers and Professional Land Surveyors
1510 E Watertower St, Ste 110
Meridian, ID 83642
Office phone (208) 373-7210 / Fax (208)373-7213
Email: keith.simila@ipels.idaho.gov

**IDAPA 10 - BOARD OF PROFESSIONAL ENGINEERS AND
PROFESSIONAL LAND SURVEYORS**

10.01.01 - RULES OF PROCEDURE

DOCKET NO. 10-0101-1602

NOTICE OF INTENT TO PROMULGATE RULES - NEGOTIATED RULEMAKING

AUTHORITY: In compliance with Sections 67-5220(1) and 67-5220(2), Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Section 54-1208, Idaho Code.

MEETING SCHEDULE: A public meeting on the negotiated rulemaking will be held as follows:

Wednesday, June 8, 2016 - 10:00 AM

**Board Office
1510 E Watertower, Ste 110
Meridian, Idaho**

The meeting site will be accessible to persons with disabilities, if needed. Requests for accommodation must be made not later than five (5) days prior to the meeting to the agency address below.

METHOD OF PARTICIPATION: Persons wishing to participate in the negotiated rulemaking must do the following: attend the meeting and present your views and thoughts on the draft amendments or submit your views and thoughts in writing not later than June 17, 2016.

Upon conclusion of the negotiated rulemaking, any unresolved issues, all key issues considered, and conclusion reached during the negotiated rulemaking will be addressed in a written summary and made available on the agency website.

DESCRIPTIVE SUMMARY AND STATEMENT OF PURPOSE: The following is a statement in nontechnical language of the substance and purpose of the intended negotiated rulemaking and the principle issues involved: The draft amendments will provide a new section defining the process for applying for a Restricted PE License available to Ph.D. faculty teaching upper division engineering courses at an Idaho University.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING DRAFT COPIES: For assistance on technical questions concerning this negotiated rulemaking or to obtain a preliminary draft copy of the rule text, contact Keith Simila, P.E., (208) 373-7210. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the board's web site at the following web address: <http://www.ipels.idaho.gov>.

Anyone may submit written comments regarding this negotiated rulemaking. All written comments must be directed to the undersigned and must be delivered on or before June 17, 2016.

DATED this 25th Day of April, 2016.

Keith Simila, Executive Director
Board of Professional Engineers and Professional Land Surveyors
1510 E Watertower St, Ste. 110
Meridian, ID 83642
Office phone (208) 373-7210 / Fax (208)373-7213
Email: keith.simila@ipels.idaho.gov

**IDAPA 10 - BOARD OF PROFESSIONAL ENGINEERS AND
PROFESSIONAL LAND SURVEYORS**

10.01.02 - RULES OF PROFESSIONAL RESPONSIBILITY

DOCKET NO. 10-0102-1601

NOTICE OF INTENT TO PROMULGATE RULES - NEGOTIATED RULEMAKING

AUTHORITY: In compliance with Sections 67-5220(1) and 67-5220(2), Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Section 54-1208, Idaho Code.

MEETING SCHEDULE: A public meeting on the negotiated rulemaking will be held as follows:

Wednesday, June 8, 2016 - 10:00 AM

**Board Office
1510 E Watertower, Ste 110
Meridian, Idaho**

The meeting site will be accessible to persons with disabilities, if needed. Requests for accommodation must be made not later than five (5) days prior to the meeting to the agency address below.

METHOD OF PARTICIPATION: Persons wishing to participate in the negotiated rulemaking must do the following: attend the meeting and present your views and thoughts on the draft amendments or submit your views and thoughts in writing not later than June 17, 2016.

Upon conclusion of the negotiated rulemaking, any unresolved issues, all key issues considered, and conclusion reached during the negotiated rulemaking will be addressed in a written summary and made available on the agency website.

DESCRIPTIVE SUMMARY AND STATEMENT OF PURPOSE: The following is a statement in nontechnical language of the substance and purpose of the intended negotiated rulemaking and the principle issues involved: The draft amendments will clarify the requirement to base opinions in reports, statements or testimony when founded on adequate knowledge of the facts, adequate competence and honest conviction of the accuracy and propriety of the information. The existing rule does not include this requirement for documents and testimony unless serving as an expert witness. The rule change clarifies the intent of the board.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING DRAFT COPIES: For assistance on technical questions concerning this negotiated rulemaking or to obtain a preliminary draft copy of the rule text, contact Keith Simila, P.E., (208) 373-7210. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the board's web site at the following web address: <http://www.ipels.idaho.gov>.

Anyone may submit written comments regarding this negotiated rulemaking. All written comments must be directed to the undersigned and must be delivered on or before June 17, 2016.

DATED this 14th Day of April, 2016.

Keith Simila, Executive Director
Board of Professional Engineers and Professional Land Surveyors
1510 E Watertower St, Ste 110
Meridian, ID 83642
Office phone (208) 373-7210 / Fax (208)373-7213
Email: keith.simila@ipels.idaho.gov

IDAPA 12 - DEPARTMENT OF FINANCE

12.01.08 - RULES PURSUANT TO THE UNIFORM SECURITIES ACT (2004)

DOCKET NO. 12-0108-1601

NOTICE OF INTENT TO PROMULGATE RULES - NEGOTIATED RULEMAKING

AUTHORITY: In compliance with Section 67-5220, Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Sections: 30-14-605 and 30-14-608, Idaho Code.

METHOD OF PARTICIPATION: Interested persons wishing to participate in the negotiated rulemaking must respond to this notice by contacting the undersigned either in writing, by fax, by email, or by calling the phone number listed below. To participate, responses must be received by June 3, 2016.

Should a reasonable number of persons respond to this notice, negotiated meetings will be scheduled and all scheduled meetings shall be posted and made accessible on the Idaho Department of Finance website at the following link: <http://www.finance.idaho.gov/currentrulemaking.aspx>.

Failure of interested persons to respond to this notice of intent or the lack of a sufficient number of responses to this notice of intent may result in the discontinuation of further informal proceedings. In either event, the Idaho Department of Finance shall have sole discretion in determining the feasibility of scheduling and conducting informal negotiated rulemaking and may proceed directly to formal rulemaking if proceeding with negotiated rulemaking is deemed infeasible.

Upon conclusion of the negotiated rulemaking, any unresolved issues, all key issues considered, and conclusions reached during the negotiated rulemaking will be addressed in a written summary and made available on the Idaho Department of Finance website.

DESCRIPTIVE SUMMARY: The following is a statement in nontechnical language of the substance and purpose of the intended negotiated rulemaking and the principle issues involved:

I. Amendments Associated with Federal Regulatory Naming Conventions and Related References

The Department's rules reference various rules of federal regulatory bodies with whom the Department shares regulatory authority.

Recently the former National Association of Securities Dealers (NASD) was renamed as the Financial Industry Regulatory Authority (FINRA). Various rules changes are associated with eliminating and replacing NASD references to FINRA references. Where applicable, some references to CFR¹ citations have been amended to reference the appropriate CFR rules citation.

II. Amendments Resulting from Federal Preemption of State Authority

During 2015 and as a result of the federal Dodd Frank legislation, the U.S. Securities and Exchange Commission (SEC) passed new rules governing federal Regulation A securities offerings. In part, these new rules preempted state authority to oversee and comment on the disclosures presented in certain securities offerings but partially retained state authority to require filings and collect fees. Rule XX clarifies the effect of this federal preemption and allows the Department to know who will be offering Regulation A securities to Idaho residents and to reduce its fee schedule accordingly.

III. Amendments Associated with Multi-State Uniform Guidelines

The Department collaborates with 50 other state securities regulators, as well as Canadian and Mexican securities regulators through the North American Securities Regulators Association (NASAA) <http://www.nasaa.org/about-us/our-role/>. Many of these efforts are directed at providing a uniform regulatory framework for securities issuers across jurisdictions.

¹ Code of Federal Regulations

The Department seeks to amend its existing incorporation of NASAA Statements of Policy to reflect changes in these uniform guidelines during the last ten years.

IV. Rules Intended To Streamline Multi-State Securities Issuer Filings

To provide some regulatory relief for certain securities issuers that wish to sell securities in multiple jurisdictions, the Department piloted and allows the use of a national electronic depository (EFD) for the filing of certain documents. Acknowledgement of this optional issuer filing format will be provided for in these rules.

V. Rule Amendment to Clarify State/Federal Investment Adviser Books and Records Requirements

There are two tiers of regulated investment advisers in the United States. Investment Advisers with assets under management in excess of \$100 million are required to register only with the U.S. Securities and Exchange Commission, while those managing funds under \$100 million are required to register only with their state of domicile. Since advisers may, over time, experience variances in their “book of business,” they may migrate back and forth between federal and state oversight.

The Department seeks to minimize the changes required of state registered advisers as they move between the two regulatory systems.

VI. Clarification Regarding Investment Adviser and Investment Adviser Representative Registration Platforms

Investment advisers and their representatives are required to use national registration platforms to license in the jurisdictions where they will conduct business. Presently, advisers use the “IARD”² while their representatives use a corollary system known as the “CRD.”³

The rules pertaining to these adviser and adviser representative registrations are being amended to clarify which registration platform should be used based upon the registrant's status as either an adviser or an adviser representative.

VII. Update to Better Identify Suitability Standards Where Investment Advisers are Involved

Rule 104.04 proposes to add language that clarifies that investment advisers have a duty to provide suitable recommendations in connection with their advisory activities when advising clients to purchase or sell securities.

VIII. Clarification Regarding Investment Adviser Financial Statement

As a condition of registration and ongoing compliance, investment advisers must demonstrate solvency by providing a balance sheet to the Department. To avoid confusion on the format and content of adviser balance sheets, it is proposed that Rule 89.01(e) be amended to identify that balance sheets provided to the Department are prepared substantially in accordance with Generally Accepted Accounting Principles (GAAP).

CONTACT INFORMATION, WEB ADDRESS, AND ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this negotiated rulemaking, contact Jim Burns at (208) 332-8080, jburns@finance.idaho.gov, or securitiesrules@finance.idaho.gov. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the Department of Finance's web site at the following web address: <http://www.finance.idaho.gov/currentrulemaking.aspx>.

DATED this 5th Day of April, 2016.

James A. Burns,
Securities Bureau Chief
Office (208) 332-8080 / Fax (208) 332-8099

Department of Finance
800 Park Blvd.
PO Box 83720
Boise, ID 83720-0031

² Investment Adviser Registration Depository

³ Central Registration Depository

IDAPA 16 - DEPARTMENT OF HEALTH AND WELFARE

16.03.19 - RULES GOVERNING CERTIFIED FAMILY HOMES

DOCKET NO. 16-0319-1601

(SECOND) NOTICE OF INTENT TO PROMULGATE RULES - NEGOTIATED RULEMAKING

AUTHORITY: In compliance with Sections 67-5220(1) and 67-5220(2), Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Sections 39-3505, and 56-1005, Idaho Code.

MEETING SCHEDULE: Public meetings on the negotiated rulemaking will be held as follows:

Tuesday, May 10, 2016 1:30 - 3:00 pm (Local)	Friday, May 20, 2016 10:00 - 11:30 am (Local)	Tuesday, May 24, 2016 10:00 - 11:30 am (Local)
Eastern Idaho - DHW Office 1070 Hiline Road 2nd Floor Conf. Room Pocatello, ID	Northern Idaho - DHW Office 1120 Ironwood Drive Suite 102 Coeur d'Alene, ID	Central Office - DHW Office 3232 Elder Street Conf. Room D-East & D-West Boise, ID

METHOD OF PARTICIPATION: Persons wishing to participate in the negotiated rulemaking must do the following:

1. Attend the negotiated rulemaking meetings as scheduled above;
2. Provide oral or written recommendations, or both, at the negotiated rulemaking meetings; or
3. Submit written recommendations and comments to this address on or before June 1, 2016:

**Karen Vasterling, Certified Family Home Program Manager
Idaho Department of Health and Welfare
1070 Hiline Rd., Suite 370
Pocatello, ID 83201**

DESCRIPTIVE SUMMARY: The following is a statement in nontechnical language of the substance and purpose of the intended negotiated rulemaking and the principle issues involved:

The Department is holding negotiated rulemaking meetings on this chapter to update and revise certification requirements for Certified Family Homes operating in Idaho.

CONTACT INFORMATION, WEB ADDRESS, ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning this negotiated rulemaking, contact Karen Vasterling at (208) 239-6263. Materials pertaining to the negotiated rulemaking under Docket 16-0319-1601, including any available preliminary rule drafts, can be found on the Department's web site at the following web address: www.healthandwelfare.idaho.gov.

All written comments on the negotiated rules must be directed to the contact person above and must be delivered on or before June 1, 2016.

DATED this 14th Day of April, 2016.

Tamara Prisock, DHW - Administrative Rules Unit
450 W. State Street - 10th Floor
P.O. Box 83720
Boise, ID 83720-0036
Phone: (208) 334-5500 / Fax: (208) 334-6558
E-mail: dhwrules@dhw.idaho.gov

IDAPA 16 - DEPARTMENT OF HEALTH AND WELFARE

16.03.22 - RESIDENTIAL CARE OR ASSISTED LIVING FACILITIES IN IDAHO

DOCKET NO. 16-0322-1601

(SECOND) NOTICE OF INTENT TO PROMULGATE RULES - NEGOTIATED RULEMAKING

AUTHORITY: In compliance with Sections 67-5220(1) and 67-5220(2), Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Sections 39-3305, Idaho Code.

MEETING SCHEDULE: Public meetings on the negotiated rulemaking will be held as follows:

Thursday, May 5, 2016 2:00 - 4:00 pm (Local)	Tuesday, May 17, 2016 1:30 - 4:00 pm (Local)	Tuesday, May 31, 2016 2:00 pm - 4:00 pm (Local)
Northern Idaho - DHW Office 1120 Ironwood Drive Suite 102 Coeur d'Alene, ID	Central Idaho - DHW Office 3232 Elder Street Conf. Room D-East Boise, ID	Eastern Idaho - DHW Office 1070 Hiline Road 2nd Floor Conf. Room Pocatello, ID

METHOD OF PARTICIPATION: Persons wishing to participate in the negotiated rulemaking must do the following:

1. Attend the negotiated rulemaking meetings scheduled above;
2. Provide oral or written recommendations, or both, at the negotiated rulemaking meetings; or
3. Submit written recommendations and comments to this address on or before June 16, 2016:

Jamie Simpson
Program Supervisor
Residential Assisted Living Facilities

Idaho Department of Health and Welfare
3232 Elder Street, P.O. Box 83720
Boise, ID 83720-0009

DESCRIPTIVE SUMMARY: The following is a statement in nontechnical language of the substance and purpose of the intended negotiated rulemaking and the principle issues involved:

The Department is holding negotiated rulemaking meetings to clarify and revise rules in IDAPA 16.03.22, "Residential Care or Assisted Living Facilities in Idaho," Section 225, regarding licensing requirements for behavior management for residents living in residential or assisted living facilities.

CONTACT INFORMATION, WEB ADDRESS, ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning this negotiated rulemaking, contact Jamie Simpson at (208) 364-1962. Materials pertaining to the negotiated rulemaking under Docket 16-0322-1601, including any available preliminary rule drafts, can be found on the Department's web site at the following web address: www.healthandwelfare.idaho.gov.

All written comments on the negotiated rules must be directed to the contact person above and must be delivered on or before June 3, 2016.

DATED this 14th Day of April, 2016.

Tamara Prisock
DHW - Administrative Rules Unit
Phone: (208) 334-5564 / Fax: (208) 334-6558
E-mail: dhwrules@dhw.idaho.gov

450 W. State Street - 10th Floor
P.O. Box 83720
Boise, ID 83720-0036

IDAPA 16 - DEPARTMENT OF HEALTH AND WELFARE

16.04.17 - RULES GOVERNING RESIDENTIAL HABILITATION AGENCIES

DOCKET NO. 16-0417-1601

(SECOND) NOTICE OF INTENT TO PROMULGATE RULES - NEGOTIATED RULEMAKING

AUTHORITY: In compliance with Sections 67-5220(1) and 67-5220(2), Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Section 39-4605, Idaho Code.

MEETING SCHEDULE: Public meetings on the negotiated rulemaking will be held as follows:

Friday, May 6, 2016 10:00 am - 11:30 am (Local)	Monday May 9, 2016 9:30 am - 11:00 am (Local)	Monday, May 9, 2016 2:30 pm - 4:00 pm (Local)
Eastern Idaho - DHW Office 1070 Hiline Road 2nd Floor Conf. Room Pocatello, ID	Lewiston - DHW Office 1118 F Street 3rd Floor Conf. Room Lewiston, ID	Central Office - DHW Office 120 Ironwood Drive Suite 102 Coeur d'Alene, ID

METHOD OF PARTICIPATION: Persons wishing to participate in the negotiated rulemaking must do the following:

1. Attend the negotiated rulemaking meetings as scheduled above;
2. Provide oral or written recommendations, or both, at the negotiated rulemaking meetings; or
3. Submit written recommendations and comments to this address on or before May 20, 2016:

**Eric Brown, DDA/ResHab Certification Program Manager
Idaho Department of Health and Welfare
3232 Elder St., P.O Box 83720
Boise, ID 83720-0009**

DESCRIPTIVE SUMMARY: The following is a statement in nontechnical language of the substance and purpose of the intended negotiated rulemaking and the principle issues involved:

The Department is holding negotiated rulemaking meetings on this chapter to update and revise certification requirements for Residential Habilitation Agencies operating in Idaho.

CONTACT INFORMATION, WEB ADDRESS, ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning this negotiated rulemaking, contact Eric Brown at (208) 334-0649. Materials pertaining to the negotiated rulemaking under Docket 16-0417-1601, including any available preliminary rule drafts, can be found on the Department's web site at the following web address: www.healthandwelfare.idaho.gov.

All written comments on the negotiated rules must be directed to the contact person above and must be delivered on or before May 20, 2016.

DATED this 14th Day of April, 2016.

Tamara Prisock, DHW - Administrative Rules Unit
450 W. State Street - 10th Floor
P.O. Box 83720
Boise, ID 83720-0036
Phone: (208) 334-5500 / Fax: (208) 334-6558
E-mail: dhwrules@dhw.idaho.gov

IDAPA 20 - DEPARTMENT OF LANDS

20.07.02 - RULES GOVERNING CONSERVATION OF OIL AND NATURAL GAS IN THE STATE OF IDAHO

DOCKET NO. 20-0702-1601

NOTICE OF INTENT TO PROMULGATE RULES - NEGOTIATED RULEMAKING

AUTHORITY: In compliance with Sections 67-5220(1) and 67-5220(2), Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Sections 47-317(8), Idaho Code, 47-319(8), Idaho Code.

MEETING SCHEDULE: A public meeting on the negotiated rulemaking will be held as follows:

Wednesday, May 18, 2016, 9:00 a.m. MDT

**Capitol Building, Lincoln Auditorium, Room WW02
Lower Level, West Wing
700 W. Jefferson Street, Boise, Idaho**

The meeting site will be accessible to persons with disabilities, if needed. Requests for accommodation must be made not later than five (5) days prior to the meeting to the agency address below.

METHOD OF PARTICIPATION: Persons wishing to participate in the negotiated rulemaking must do the following:

Attend as many rulemaking sessions as possible. Visit our rulemaking website for additional meetings, agendas, and rule drafts. Comments may be submitted to oilandgasconservationrulemaking@idl.idaho.gov.

Upon conclusion of the negotiated rulemaking, any unresolved issues, all key issues considered, and conclusion reached during the negotiated rulemaking will be addressed in a written summary and made available on the agency website.

DESCRIPTIVE SUMMARY AND STATEMENT OF PURPOSE: The following is a statement in nontechnical language of the substance and purpose of the intended negotiated rulemaking and the principle issues involved:

IDAPA 20.07.02 was last updated by negotiated rulemaking in 2014 and approved by the Legislature in 2015. As IDL has administered the rule since 2015, and due to statute changes during the 2015 and 2016 legislative sessions, the agency has identified provisions that need to be updated, clarified, or modified.

- Updates are needed for Incorporations by Reference.
- Agency contact information needs correcting.
- Definitions are needed for several terms, some definitions should be removed because they are in statute, and consistent terminology is added throughout the rules. Seismic exploration is better defined and requirements clarified.
- Permits and requirements for drill pad construction need to be added.
- Assignment process needs to be updated and modified to ensure a new operator is registered and in good standing with the State of Idaho.
- Well logging and reporting requirements need modification to improve information gathering and retention.
- Processing facility standards are modified to add flexibility.
- Update confidentiality of information to include requirements for justification for confidentiality.
- Permit requirements and processing will need to be updated throughout based on 2016 statute changes.
- Integration, unitization, and several other processes must be modified based on 2016 statute changes.
- Role of Commission and Department needs to be aligned with 2016 statute changes.
- Interactions with the Idaho Geological Survey need to be modified due to 2016 statute changes.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING DRAFT COPIES: For assistance on technical questions concerning this negotiated rulemaking or to obtain a preliminary draft copy of the rule text, contact Eric Wilson at 208-334-0261. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the Idaho Department of Lands web site at the following web address: <http://www.idl.idaho.gov/rulemaking/index.html>.

Anyone may submit written comments regarding this negotiated rulemaking. All written comments must be directed to the undersigned and must be delivered on or before August 1, 2016.

DATED this 8th Day of April 2016.

Eric Wilson, Bureau Chief
Resource Protection and Assistance
Idaho Department of Lands
300 N. 6th Street, Suite 103
P.O. Box 83720
Boise, Idaho 83720
Phone: 208-334-0261
Fax: 208-334-3698

IDAPA 24 - BUREAU OF OCCUPATIONAL LICENSES

24.18.01 - RULES OF THE REAL ESTATE APPRAISER BOARD

DOCKET NO. 24-1801-1601

NOTICE OF RULEMAKING - ADOPTION OF TEMPORARY RULE

EFFECTIVE DATE: The effective date of the temporary rule is April 1, 2016.

AUTHORITY: In compliance with Sections 67-5226, Idaho Code, notice is hereby given this agency has adopted a temporary rule. The action is authorized pursuant to Section 54-4106, Idaho Code.

DESCRIPTIVE SUMMARY: The following is the required finding and concise statement of its supporting reasons for adopting a temporary rule:

This rule incorporates by reference the current version of the Uniform Standards of Professional Appraisal Practice (USPAP) which represents the generally accepted and recognized standards of appraisal practice in the United States. USPAP is adopted in these rules as the rules of conduct and code of ethics for licensed real estate appraisers. Continuing education requirements direct that update courses cover the most recent USPAP edition.

TEMPORARY RULE JUSTIFICATION: Pursuant to Section 67-5226(1)(b), Idaho Code, the Governor has found that temporary adoption of the rule is appropriate for the following reasons:

On January 1st 2016, the 2016-2017 edition of the Uniform Standards of Professional Appraisal Practice (USPAP) went into effect. This rule incorporates by reference the current version of the Uniform Standards of Professional Appraisal Practice (USPAP) which represents the generally accepted and recognized standards of appraisal practice in the United States.

FEE SUMMARY: Pursuant to Section 67-5226(2), the Governor has found that the fee or charge being imposed or increased is justified and necessary to avoid immediate danger and the fee is described herein: NA

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning the temporary rule, contact Cherie Simpson at (208) 334-3233.

DATED this 8th Day of April, 2016.

Tana Cory
Bureau Chief
Bureau of Occupational Licenses
700 W State St.
P O Box 83720
Boise, ID 83720-0063
Ph: (208) 334-3233 / Fax: (208) 334-3945

THE FOLLOWING IS THE TEXT OF THE TEMPORARY RULE FOR DOCKET NO. 24-1801-1601 (Only Those Sections With Amendments Are Shown.)

004. INCORPORATION BY REFERENCE (RULE 4).

The document titled "Uniform Standards of Professional Appraisal Practice (USPAP)," 201~~4~~6-201~~5~~7 Edition, excluding standards 7, 8, 9, and 10, published by the Appraisal Foundation and effective January 1, 201~~4~~6, as referenced in Subsection 700, is herein incorporated by reference and is available for review at the Board's office and may be purchased from the Appraisal Foundation, Distribution Center, P. O. Box 381, Annapolis Junction, MD 20701-0381. ~~(3-25-16)~~(4-1-16)T

IDAPA 31 - IDAHO PUBLIC UTILITIES COMMISSION

31.11.01 - SAFETY AND ACCIDENT REPORTING RULES FOR UTILITIES REGULATED BY THE IDAHO PUBLIC UTILITIES COMMISSION

DOCKET NO. 31-1101-1501

NOTICE OF LEGISLATIVE ACTION - AGENCY FILING - FINAL RULE

AUTHORITY: In compliance with Sections 67-5224 and 67-5291, Idaho Code, notice is hereby given that the legislature has taken action by concurrent resolution on the pending rule promulgated under Docket No. 31-1101-1501. The affected sections are being reprinted here pursuant to this legislative action in its final version pursuant to House Concurrent Resolution (HCR) 51.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement regarding the partial rejection:

Pursuant to **HCR 51**, IDAPA 31.11.01, "Safety and Accident Reporting Rules for Utilities Regulated by the Idaho Public Utilities Commission," the amendments to Sections 202 and 203, adopted as pending rules under Docket Number **31-1101-1501**, and the previously adopted codified rules under Sections 202 and 203 are not consistent with legislative intent and are rejected and declared null, void and of no force and effect. Sections 202 and 203 are now "RESERVED" sections in the final, codified rule.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this notice, contact Dennis Stevenson, Administrative Rules Coordinator, at (208) 332-1820.

DATED this 20th day of April, 2016.

Dennis Stevenson
Administrative Rules Coordinator
Office of the Administrative Rules Coordinator
Department of Administration
P. O. Box 83720, Boise, ID 83720-0306
email: rulescoordinator@adm.idaho.gov

**The pending rule adopted under this docket was partially rejected by HCR 51.
The following rule text is the codified final rule and includes the rejected
pending rule text shown here as underscored and stricken.**

202. INTERNATIONAL FUEL GAS CODE (IFGC) (RULE 202).

01. Incorporation by Reference. The Commission incorporates by reference the International Fuel Gas Code, 2012⁵ Edition except for Part 2 of Chapter 1. The International Fuel Gas Code is published by the International Code Council, 500 New Jersey Avenue, NW, 6th Floor, Washington D.C. 20001-2070. The Code is available from the Code Council and may be ordered online at www.iccsafe.org/Store/Pages/default.aspx. Telephone orders may be placed by calling toll-free 800-786-4452. (3-29-12) ~~(3-20-04)~~

02. Utility Compliance. All gas corporations subject to the jurisdiction of this Commission are required to abide by applicable provisions of the International Fuel Gas Code and to connect for service and light only those installations that: (3-20-04)

- a. Have been inspected and approved by authorized agencies; or (4-1-98)
- b. When inspecting agencies do not exist, to require their customers to abide by applicable provisions

of the International Fuel Gas Code as a condition of receiving service or continuing to receive service. (3-20-04)

203. INTERNATIONAL MECHANICAL CODE (IMC) (RULE 203).

01. Incorporation by Reference. The Commission incorporates by reference those portions of the 2012~~5~~ International Mechanical Code explicitly referring to gas or gas-burning appliances except Part 2 of Chapter 1. The International Mechanical Code is published by the International Code Council, 500 New Jersey Avenue, NW, 6th Floor, Washington D.C. 20001-2070 and may be ordered by calling toll-free 800-786-4452 or online at www.iccsafe.org/Store/Pages/default.aspx. (3-29-12)~~(_____)~~

02. Utility Compliance. Gas corporations subject to the jurisdiction of this Commission are required to abide by applicable provisions of the International Mechanical Code and to connect for service and light only those installations that: (3-20-04)

a. Have been inspected and approved by authorized agencies; or (4-1-98)

b. When inspecting agencies do not exist, to require their customers to abide by applicable provisions of the International Mechanical Code as a condition of receiving service or continuing to receive service. (3-20-04)

[Pursuant to HCR 51, final rules Sections 202 and 203 are rejected and will be codified as RESERVED]

202. -- 300. (RESERVED)

IDAPA 35 - STATE TAX COMMISSION

35.01.02 - IDAHO SALES AND USE TAX ADMINISTRATIVE RULES

DOCKET NO. 35-0102-1601

NOTICE OF INTENT TO PROMULGATE RULES - NEGOTIATED RULEMAKING

AUTHORITY: In compliance with Sections 67-5220(1) and 67-5220(2), Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Sections 63-105(2), 63-3624(a), 63-3635, and 63-3039, Idaho Code.

MEETING SCHEDULE: A public meeting on the negotiated rulemaking will be held as follows:

Thursday, May 19, 2016 - 1:30 pm MDT

**Idaho State Tax Commission
Room 1CR5 – 1st Floor
800 Park Boulevard, Plaza IV
Boise, ID 8372-7742**

It is likely that some or all of these rules will require further discussion in follow up meetings that will also be open to the public. Notification of any additional meetings will be posted on the Tax Commission's website at <http://tax.idaho.gov/i-1141.cfm?com=> at least one week prior to the date of the meeting. All meeting agendas are also posted on the website which will contain specific information on the rules that will be discussed at a particular meeting. There is no guarantee that a particular rule will be discussed beyond the meeting noted above, so please plan accordingly.

The meeting site will be accessible to persons with disabilities, if needed. Requests for accommodation must be made not later than five (5) days prior to the meeting to the agency address below.

METHOD OF PARTICIPATION: Persons wishing to participate in the negotiated rulemaking must do the following:

Attend the scheduled meeting and participate in the discussion for any of the rules on the agenda. You may join the meeting by phone if you wish; however, notice must be given in advance so accommodations can be arranged.

Submit a written comment addressing one or more of the rules to be negotiated. All written comments must be received by July 31, 2016, or they may not receive consideration in the negotiated rulemaking process.

Upon conclusion of the negotiated rulemaking, any unresolved issues, all key issues considered, and conclusion reached during the negotiated rulemaking will be addressed in a written summary and made available on the agency website.

DESCRIPTIVE SUMMARY AND STATEMENT OF PURPOSE: The following is a statement in nontechnical language of the substance and purpose of the intended negotiated rulemaking and the principle issues involved:

Rule 107 VEHICLES AND VESSELS – GIFTS, MILITARY PERSONNEL, NONRESIDENT, NEW RESIDENT, TAX PAID TO ANOTHER STATE, SALES TO FAMILY MEMBERS SALES TO AMERICAN INDIANS, AND OTHER EXEMPTIONS

The passage of House Bill 348 during the 2016 Idaho legislative session necessitates changes to this rule. The bill added paddleboards and similar vessels to the list of watercraft that are subject to sales tax when purchased by nonresidents in Section 63-3622R, Idaho Code. Rule changes will be discussed to conform to the new law.

Rule 100 PRESCRIPTIONS

The passage of House Bill 075 from the 2015 Idaho legislative session necessitates changes to this rule. The bill included as exempt from sales tax the sale of prescription eyeglasses and component parts effective 7/1/2015 and prescription contact lenses effective 7/1/2016 in Section 63-3622N, Idaho Code. Rule changes will be discussed to conform to the new law and in general to improve clarity.

Rule 096 IRRIGATION EQUIPMENT AND SUPPLIES
Rule 102 LOGGING

The passage of House Bill 347 from the 2016 Idaho legislative session necessitates changes to these rules. The bill was to be consistent with the passage of House Bill 39 from the 2015 Idaho Legislative session and repealed language relating to hand tools costing \$100 or less and making them exempt from sales tax when used directly in the production of radio and television broadcasts, production of certain free newspapers, agricultural irrigation and logging in Sections 63-3622S, 63-3622T, 63-3622W, and 63-3622JJ, Idaho Code. Rule changes will be discussed to conform to the new law.

Rule 079 PRODUCTION EXEMPTION
Rule 080 LUMBER MANUFACTURING
Rule 081 UNDERGROUND MINING
Rule 082 ABOVEGROUND, OPEN PIT, MINING
Rule 083 FARMING AND RANCHING

The passage of House Bill 386 from the 2016 Idaho legislative session necessitates changes to Rule 079 and Rule 083. The bill amended the production exemption to include “removal from storage” of agricultural commodities in Section 63-3622D, Idaho Code. Rule changes will be discussed to conform to the new legislation and to clarify that activities which are an integral and necessary step in maintaining specific product standards are exempt from sales tax.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING DRAFT COPIES: For assistance on technical questions concerning this negotiated rulemaking contact Douglas Harrie at (208) 334-7680. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the agency’s web site at the following web address: <http://tax.idaho.gov/i-1141.cfm?com=s>.

Anyone may submit written comments regarding this negotiated rulemaking. All written comments must be directed to the undersigned and must be delivered on or before July 31, 2016. Comments may be submitted via e-mail to sherry.briscoe@tax.idaho.gov.

DATED this 11th Day of April 2016.

Douglas J. Harrie
Tax Audit Manager
Idaho State Tax Commission
800 Park Blvd, Plaza IV
PO Box 36
Boise, ID 83722-0410
Phone: (208) 334-7680
Fax: (208)332-6619

IDAPA 35 - STATE TAX COMMISSION

35.01.03 - PROPERTY TAX ADMINISTRATIVE RULES

DOCKET NO. 35-0103-1602

NOTICE OF INTENT TO PROMULGATE RULES - NEGOTIATED RULEMAKING

AUTHORITY: In compliance with Section 67-5220, Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Section 63-105A, Idaho Code, and Section 63-802, Idaho Code.

METHOD OF PARTICIPATION: Interested persons wishing to participate in the negotiated rulemaking may do any of the following:

Negotiated meetings will be scheduled and all scheduled meetings shall be posted and made accessible on the agency website at the address listed below.

1. Attend the negotiated rulemaking meeting and participate in the negotiation process;
2. Attend through a teleconference;
3. Provide oral or written recommendations, or both, at the negotiated rulemaking meeting; and/or
4. Submit written recommendations and comments using the contact information below.

Upon conclusion of the negotiated rulemaking, any unresolved issues, all key issues considered, and conclusions reached during the negotiated rulemaking will be addressed in a written summary and made available on the agency website.

Failure of interested persons to respond to this notice of intent or the lack of a sufficient number of responses to this notice of intent may result in the discontinuation of further informal proceedings. In either event the agency shall have sole discretion in determining the feasibility of scheduling and conducting informal negotiated rulemaking and may proceed directly to formal rulemaking if proceeding with negotiated rulemaking is deemed infeasible.

DESCRIPTIVE SUMMARY: The following is a statement in nontechnical language of the substance and purpose of the intended negotiated rulemaking and the principle issues involved:

Property Tax Rule 114 - This rule will increase the stratum for the properties receiving the homeowner's exemption. Currently the properties are reported in \$25,000 increments up to \$250,000. Reporting by these increments up to a higher property value would allow better statistical analysis.

Property Tax Rule 317 - The maximum homeowner's exemption for tax year 2016 has been set under former law to be \$94,745. Under new House Bill 431 the maximum homeowner's exemption is set at \$100,000 effective July 1, 2016. Rule 317 needs to be amended so that the maximum homeowner's exemption applied to property subject to the occupancy tax after July 1, 2016 and thereafter be consistent with the new law (HB431) (\$100,000).

Property Tax Rule 609 - With passage of House Bill 431 the reference to the House Price Index needs to be deleted and the examples need to be changed to reflect the new amount (\$100,000) of the maximum homeowner's exemption. Reference to the House Price Index is deleted and the examples are updated to show the homeowner's exemption to be \$100,000. Also, certain examples in the existing rule will be reviewed and possibly changed.

Property Tax Rule 802 - Taxing districts will be instructed on how to compute new construction amounts within urban renewal revenue allocation areas under newly enacted HB606aa (63-301A). The rule will explain how to compute new construction within a revenue allocation area when it is determined that a new urban renewal plan with new (after July 2, 2016) revenue allocation areas has been modified.

Property Tax Rule 803 - The administration of the provisions of HB534 and HB 606aa related to property tax budget certification will be outlined and the requirements to report the amount and the description of budgeted forgone amount as expressed in HB 474 will be explained. This rule will explain how to handle

solar farm gross receipt tax receipts in relation to the computation of maximum property tax budget as set out in newly enacted house bill HB 534 (63-802(1)(j)). The rule will also explain the treatment of money received as a result of distributions of urban renewal allocations in excess of the amount necessary to pay indebtedness, as provided in newly enacted HB 606aa (Section 50-2903A(3), Idaho Code). In addition the rule will explain how to distribute the money received as a result of distributions of urban renewal allocations in excess of the amount received by the urban renewal agency in the immediate prior year, as provided in Section 50-2913(3)(c), Idaho Code.

Property Tax Rule 804 - The rule will provide for the urban renewal agencies to tell the state tax commission whether or not a plan modification has occurred and may describe penalties for non-compliance. This rule will provide for a notification process between the tax commission and counties.

Property Tax Rule 805 - This rule will describe acceptable methods of compliance with the requirement to submit urban renewal plan modifications found in newly enacted house bill 606aa (section 7, new I.C. 50-2913) and to explain what action will be taken if the state tax commission is not able to verify the existence of an urban renewal agency.

CONTACT INFORMATION, WEB ADDRESS, ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning this negotiated rulemaking, contact Alan Dornfest, (208) 334-7742. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the commission website at the following web address: www.tax.idaho.gov.

All written comments must be directed to the address below.

DATED this 14th Day of April, 2016.

Alan Dornfest
Tax Policy Supervisor
State Tax Commission
P.O. Box 36
Boise, ID 83722-0410
(208) 334-7742

IDAPA 35 - STATE TAX COMMISSION

35.01.05 - IDAHO MOTOR FUELS TAX ADMINISTRATIVE RULES

DOCKET NO. 35-0105-1601

NOTICE OF RULEMAKING - PROPOSED RULE

AUTHORITY: In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to Sections 63-105 and 63-2427, Idaho Code.

PUBLIC HEARING SCHEDULE: Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than May 18, 2016.

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

DESCRIPTIVE SUMMARY: The following is a nontechnical explanation of the substance and purpose of the proposed rulemaking:

Motor Fuels Tax Rule 003, Administrative Appeals. This rule will be changed to add additional references to appeal rights and make changes to add clarity.

Motor Fuels Tax Rule 004, Incorporation by Reference. This rule will be changed to update the incorporated references.

Motor Fuels Tax Rule 140, Deductions. This rule will be deleted. Subsections 140.01 and 140.04 will be added to Motor Fuels Tax Rule 130. Motor Fuel Tax Rule 130 will be a negotiated rule.

Motor Fuels Tax Rule 311, IFTA License Bond. The reference in Subsection 311.05 will be updated to reference section 63-2470, Idaho Code.

Motor Fuels Tax Rule 400, IFTA Licensing and Special Fuel Permitting Requirements for Motor Vehicles over Twenty-Six Thousand Pounds Maximum Gross Weight. When HB 132 passed in the 2015 legislative session, it eliminated the gaseous fuels permit program. References to the gaseous fuel decal will be eliminated. The rule will also be changed to add clarity.

FEE SUMMARY: The following is a specific description of the fee or charge imposed or increased: NA

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year resulting from this rulemaking: NA

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220(2), Idaho Code, negotiated rulemaking was not conducted because the changes were to eliminate dated material, update external references, and make changes to add clarity.

INCORPORATION BY REFERENCE: Pursuant to Section 67-5229(2)(a), Idaho Code, the following is a brief synopsis of why the materials cited are being incorporated by reference into this rule:

The International Fuel Tax Agreement is being incorporated by reference because it is adopted by Section 63-2442A(1), Idaho Code.

The International Registration Plan is being incorporated by reference because it is adopted by Section 49-435(1), Idaho Code.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the proposed rule, contact Don W. Williams, (208) 334-7855. Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before May 25, 2016.

DATED this 4th Day of May 2016.

Don W. Williams
Tax Policy Specialist
State Tax Commission
P.O. Box 36
Boise, ID 83722-0410
Phone (208) 334-7855
Fax (208) 334-7844
Don.williams@tax.idaho.gov

**THE FOLLOWING IS THE PROPOSED TEXT OF DOCKET NO. 35-0105-1601
(Only Those Sections With Amendments Are Shown.)**

003. ADMINISTRATIVE APPEALS (RULE 003).

~~Sections 63-2434, 63-2442A, 63-2470, 41-4909, 49-439, and 63-3045 through 63-3049, Idaho Code~~

This chapter ~~does~~ allows administrative relief ~~in the provisions outlined as provided~~ under Sections 63-2434, ~~63-2442A, 63-2470,~~ 41-4909, ~~49-439,~~ and 63-3045 through 63-3049, Idaho Code and pursuant to Rules ~~promulgated~~ ~~adopted~~ by the Commission found in the Commission's administration and enforcement rules relating to income taxation, IDAPA 35.02.01. ~~(4-6-05)()~~

004. INCORPORATION BY REFERENCE (RULE 004).

Sections 63-2434, 63-2442A, 41-4909, and 49-439, Idaho Code. ~~The following documents are incorporated by reference:~~ ~~(3-25-16)()~~

01. Income Tax Administration and Enforcement Rules. These rules incorporate the sections of IDAPA 35.02.01, "Tax Commission Administration and Enforcement Rules," relating to the statutes authorized by Section 63-2434, Idaho Code. In addition, Administration and Enforcement Rule 110, (IDAPA 35.02.01.110) relating to requests for declaratory rulings, is adopted as part of these rules, as if set out in full. (3-25-16)

02. International Fuel Tax Agreement. These rules incorporate the International Fuel Tax Agreement (IFTA) governing documents: the IFTA Articles of Agreement (revised ~~July 1, 2013~~ January 1, 2017), the IFTA Procedures Manual (revised January 1, 201~~5~~7), and the IFTA Audit Manual (revised January ~~20, 2012~~ 1, 2017). IFTA is an international agreement between jurisdictions to encourage use of the highway system by uniformly administering fuels use tax laws. The IFTA governing documents are equally binding on all IFTA member jurisdictions and licensees. Motor fuels users licensed or required to be licensed to operate under an Idaho IFTA license must comply with all applicable rules contained in these rules. These documents can be found on the IFTA website at <http://www.iftach.org>. ~~(3-25-16)()~~

03. International Registration Plan. These rules incorporate the International Registration Plan (IRP) governing documents: The IRP Plan (revised January 1, 201~~5~~7) and IRP Audit Procedures Manual (revised July 1, 2013). IRP is an international registration reciprocity agreement. The documents are included to aid the Commission in complying with IRP registration application audits authorized in Chapter 4, Title 49, Idaho Code. These documents can be found on the IRP website at <http://www.irponline.org>. ~~(3-25-16)()~~

(BREAK IN CONTINUITY OF SECTIONS)

138. -- ~~139~~40. (RESERVED)

140. DEDUCTIONS (RULE 140).
Section 63-2407, Idaho Code.

~~01. **Motor Fuels and Petroleum Products Presumed To Be Distributed.** Unless the contrary is established, it shall be presumed that all motor fuels and other petroleum products imported into this state by a distributor, which are no longer in the possession of that distributor, have been distributed. If the licensed distributor has returned to the refinery or pipeline terminal motor fuels and other petroleum products on which the tax and/or transfer fee has been paid or has had an accidental loss, the licensed distributor has the burden of showing the petroleum products were returned to the refinery or pipeline terminal or documenting the accidental loss. No refund of the transfer fee will be allowed for accidental losses of motor fuels or other petroleum products. (7-1-98)~~

~~02. **Distributor's and Retail Dealer's Allowances for Motor Fuels.** (This Subsection only applies to sales of motor fuels made before December 1, 2007.) The distributor shall certify on his report that the one percent (1%) credit allowance has been afforded the retail dealer to cover the dealer's shrinkage, evaporation, spillage or handling losses for motor fuel. The State Tax Commission shall then allow the additional one percent (1%) deduction unless a retail dealer claims that he did not receive the credit allowance. If such claim is made, the State Tax Commission shall require the licensed distributor to provide documentary proof that the one percent (1%) credit allowance has been afforded the retail dealer, and unless the distributor establishes that the credit has been afforded to the retail dealer, the deduction will be disallowed. In the case of sales of motor fuel to retail dealers, to establish that the allowance of one percent (1%) of the tax has been passed to the purchaser, the invoice must show either: (4-2-08)~~

~~a. That the amount of the allowance has been passed on; or (7-1-98)~~

~~b. A statement that the allowance has been deducted in determining the price. (7-1-98)~~

~~03. **Distributor's Allowance for Motor Fuels.** (This subsection only applies to sales of motor fuels made on and after December 1, 2007.) The State Tax Commission will allow a two percent (2%) allowance granted in Section 63-2407, Idaho Code, to reimburse the licensed distributor for loss from evaporation, handling, spillage and shrinkage, except losses caused by casualty. (4-2-08)~~

~~04. **Exported Fuel.** Motor fuels or other petroleum products claimed as exported from Idaho must be supported by records. Records must include the following: (7-1-98)~~

~~a. Tax reports or other evidence that will verify that the exported product was reported to and any tax due was paid to the jurisdiction into which the product was claimed to have been exported or evidence that the purchaser is a licensed distributor in the jurisdiction to which the exported product is destined; and (7-1-98)~~

~~b. Common carrier shipping documents, bills of lading, manifests, and cost billings; or (7-1-98)~~

~~c. Invoices, manifests, bills of lading or other documentation, signed by the receiving party to acknowledge receipt of the product; or (7-1-98)~~

~~d. Accounts payable or receivable information for verifying payments to common carriers or payment by out-of-state parties to verify receipt of exported product. (7-1-98)~~

~~e. In addition to the above, for a licensed distributor who maintains operations in Idaho, as well as other jurisdictions, evidence such as product inventory and transfer records must be retained to prove the transfer of product out of Idaho. (7-1-98)~~

~~05. **Bad Debt Write Off.** (This section only applies to debt from fuels taxes that have been written off for income tax purposes in the distributor's records before December 1, 2007.) A distributor may take a bad debt tax credit for fuel taxes paid on sales made after July 1, 1995. After the debt has been written off for income tax purposes in the distributor's records, the distributor may claim the credit on its fuel tax report for the month in which it made the bad debt adjustment. (4-2-08)~~

~~a. First in/first out method for partial payments. When a distributor receives partial payments on a~~

~~fuel account that includes taxable and nontaxable fuel sales, the distributor must apply the payments to the unpaid fuel sales on a first in/first out basis before calculating the amount of the bad debt credit. (4-11-06)~~

~~**b.** Proration of partial payments. When a distributor receives partial payments on a fuel account, before and/or after claiming a bad debt credit on its fuel tax report, the distributor must prorate the taxable and nontaxable fuel sales that occurred on the same day or on the same invoice for each such account. (4-11-06)~~

~~**c.** Amount of credit allowed. A distributor may claim a credit or refund on its monthly fuels tax report for fuels tax that is found to be uncollectible. If both nontaxable and taxable fuel sales are included in the fuel account, a distributor may take credit only for the portion of the bad debt that represents unpaid fuels tax. (4-11-06)~~

~~**d.** Multiple accounts — allocation of unspecified payments. If a distributor receives an unspecified payment from a customer that may be applied to an unpaid fuel account and nonfuel accounts, the distributor must allocate the payment to the various accounts upon receipt of the partial payment. If the distributor fails to make the allocation at the time the payment is received, the entire amount of the payment will be allocated to the customer's fuel account for purposes of calculating the amount of the credit. (4-11-06)~~

~~**e.** Statute of limitations for bad debt claim. A distributor may receive a credit or refund of fuels taxes in Subsection 140.04 of this rule if a written claim is filed with the State Tax Commission within three (3) years from the date the tax was paid to the State Tax Commission. The State Tax Commission will review all such refund claims. (4-11-06)~~

(BREAK IN CONTINUITY OF SECTIONS)

311. IFTA LICENSE BOND (RULE 311).

Sections 63-2442A and 63-2470, Idaho Code

01. General. The State Tax Commission (Commission) may require an International Fuel Tax Agreement (IFTA) licensee to post a bond following the requirements of the IFTA Agreement in order to maintain his license. A bond may be required when he files returns or remits taxes, separately or in combination, after the due date at least three times within a three year period. When a bond is required, the licensee must post the bond within thirty (30) days from the date of the request. When no bond is posted within the thirty (30) days, the license is automatically revoked and it must be surrendered to the Commission. An assessment may be made for any unreported tax liability based on actual records or an estimate. (4-11-15)

02. Reinstating Revoked Licenses. An applicant may be required to post a bond when he has previously had his IFTA license revoked or is related to a person who has previously had his IFTA license revoked. An applicant is related to a person who has previously had his IFTA license revoked when: (4-11-15)

a. The applicant is owned at least twenty-five percent (25%) by a person or persons who has previously had his IFTA license revoked. (4-11-15)

b. The applicant is operated or controlled by a person or persons who has previously had his IFTA license revoked. Operation and control includes, but is not limited to, an officer or director or other person authorized by the applicant to engage in the business or commercial activity of the applicant. (4-11-15)

03. Amount and Type of Bond. The amount of the bond will be one thousand dollars (\$1,000) or twice the estimated tax liability for the licensee's quarterly tax reporting period, whichever is greater, without regard to actual or anticipated tax-paid credits. Any type of bond allowed by the IFTA Agreement or these rules may be secured. The bond amount will be reviewed annually, but may be reviewed at any time, thereafter. The licensee's returns and records may be reviewed to determine if the bond amount will be raised, lowered, or remain unchanged. (4-11-15)

04. Bond Waiver Request. The licensee may request a waiver of bond requirement within thirty (30) days from the approval of the license renewal request. The licensee must be a quarterly filer. The licensee must have submitted the quarterly returns and paid the tax due by the due date for one calendar year. An annual filer may not

request a bond waiver.

(4-11-15)

05. Denial of Bond Waiver Request and Appeal of Denial. The Commission may deny a bond waiver request when it determines that waiving the bond requirement puts the financial interests of IFTA jurisdictions in jeopardy. The licensee must follow the appeal procedure in Section ~~R1400, IFTA Articles of Agreement (revised July 2013)~~ 63-2470, Idaho Code, to appeal the denial of a bond waiver request. ~~(4-11-15)()~~

(BREAK IN CONTINUITY OF SECTIONS)

400. IFTA LICENSING AND SPECIAL FUELS PERMITTING ~~REQUIREMENTS FOR MOTOR VEHICLES OVER TWENTY SIX THOUSAND POUNDS MAXIMUM GROSS WEIGHT~~ (RULE 400).

~~The following rules relate to the special fuels tax licensing system provided in~~ Sections 49-434, 63-2401, 63-2434, 63-2438 through 63-2440, and 63-2442A, Idaho Code, ~~inclusive and, where expressly stated, supplements the requirements of IFTA.~~ ~~(7-1-98)()~~

01. In General. It is unlawful for any person to operate a motor vehicle over twenty-six thousand (26,000) pounds maximum registered gross weight or a motor vehicle with three (3) or more axles regardless of weight, that uses special fuels as defined in Section 63-2401, Idaho Code, on the highways of this state without having obtained one (1) of the following: (3-30-07)

a. A registration to operate the motor vehicle solely within this state under Section 49-434, Idaho Code. (7-1-98)

b. A temporary fuel tax permit from the Idaho Transportation Department. ~~(3-15-02)()~~

c. An IFTA license. (7-1-98)

~~d. In the case of vehicles powered by gaseous fuels, a gaseous fuels permit as provided by Section 63-2424, Idaho Code. (4-7-11)~~

02. Federal or In-State Governmental Vehicles. Motor vehicles owned or leased and operated by the federal government or the state of Idaho or their instrumentalities or political subdivisions are exempt from these requirements. (3-15-02)

03. Out-of-State Governmental Vehicles. Motor vehicles owned or operated by another state of the United States or any agency or subdivision thereof are exempt from permitting and reporting under this rule if the state in which they are owned grants a reciprocal privilege to Idaho and its agencies and subdivisions. (7-1-98)

04. Temporary Fuel Tax Permits. Any person who operates a motor vehicle over twenty-six thousand (26,000) pounds maximum registered gross weight or a motor vehicle with three (3) or more axles regardless of weight, that uses special fuels on the highways of this state and is not registered solely for operation in this state under Section 49-434, Idaho Code, or IFTA licensed, shall secure a temporary fuel tax permit from the Idaho Transportation Department in the manner provided and required by that department. ~~(3-30-07)()~~

05. Failure to Obtain an IFTA License, or Temporary Fuel Tax Permit, or a Gaseous Fuels Permit. Operation of a motor vehicle over twenty-six thousand (26,000) pounds maximum registered gross weight or a motor vehicle with three (3) or more axles regardless of weight, that uses special fuels on the highways of this state without a registration to operate the motor vehicle solely within this state under Section 49-434, Idaho Code, an IFTA license, or an Idaho temporary fuel tax permit, ~~or a gaseous fuels permit for motor vehicles powered by gaseous fuels as provided by Section 63-2424, Idaho Code~~, is hereby deemed to be an act tending to prejudice the collection of the special fuels tax and an act that renders wholly or partially ineffective the procedures for collection of that tax. Accordingly, any deputy of the Commission, including those designated as deputies in Section 300 of these rules, may issue a jeopardy assessment under the authority of Sections ~~63-2434 and 63-3065~~, Idaho Code. Such deputy is authorized to institute immediate collection procedures, including issuance of a tax warrant and distraint of the motor vehicle required to display, but failing to display, either an IFTA license or a temporary fuel tax permit. ~~(4-7-11)()~~

IDAPA 35 - STATE TAX COMMISSION

35.01.05 - IDAHO MOTOR FUELS TAX ADMINISTRATIVE RULES

DOCKET NO. 35-0105-1602

NOTICE OF INTENT TO PROMULGATE RULES - NEGOTIATED RULEMAKING

AUTHORITY: In compliance with Section 67-5220, Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Sections 63-105 and 63-2427, Idaho Code.

METHOD OF PARTICIPATION: Interested persons wishing to participate in the negotiated rulemaking must respond to this notice by contacting the undersigned either in writing, by email, or by calling the phone number listed below. To participate, responses must be received by May 25, 2016.

Should a reasonable number of persons respond to this notice, negotiated meetings will be scheduled and all scheduled meetings shall be posted and made accessible on the agency website at the address listed below.

Failure of interested persons to respond to this notice of intent or the lack of a sufficient number of responses to this notice of intent may result in the discontinuation of further informal proceedings. In either event, the agency shall have sole discretion in determining the feasibility of scheduling and conducting informal negotiated rulemaking and may proceed directly to formal rulemaking if proceeding with negotiated rulemaking is deemed infeasible.

Persons wishing to participate in the negotiated rulemaking may do any of the following:

1. Attend the negotiated rulemaking meeting and participate in the negotiation process;
2. Attend through a teleconference;
3. Provide oral or written recommendations, or both, at the negotiated rulemaking meeting; and/or
4. Submit written recommendations and comments using the contact information below.

Upon the conclusion of the negotiated rulemaking, any unresolved issues, all key issues considered, and conclusions reached during the negotiated rulemaking will be addressed in a written summary and made available on the agency website.

DESCRIPTIVE SUMMARY: The following is a statement in nontechnical language of the substance and purpose of the intended negotiated rulemaking and the principle issues involved:

Motor Fuels Tax Rule 130, Distributor's Fuel Tax Reports, outlines the procedure for licensed distributors to complete the monthly distributor's report. Subsection 130.04, Supplemental Reports, will be deleted from this rule. In addition, dated material will be removed.

Motor Fuels Tax Rule 140, Deductions, is not being negotiated, however it will be deleted. Subsections 140.01, Motor Fuels and Petroleum Products Presumed To Be Distributed, and 140.04, Exported Fuel, will be added to Rule 130.

ASSISTANCE ON TECHNICAL QUESTIONS, MEETING ACCOMMODATIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING DRAFT COPIES: For assistance on technical questions concerning this negotiated rulemaking, requests for special meeting accommodations or accessibility, or to obtain a preliminary draft copy of the rule text (if available), contact the person listed below. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the State Tax Commission web site at the following web address: <http://tax.idaho.gov>.

DATED this 4th Day of May 2016.

Don Williams, Tax Policy Specialist
Phone (208) 334-7855
Fax (208) 334-7844
Don.williams@tax.idaho.gov

State Tax Commission
P.O. Box 36
Boise, ID 83722-0410

IDAPA 35.01.10 - STATE TAX COMMISSION

35.01.10 - IDAHO CIGARETTE AND TOBACCO PRODUCTS TAX ADMINISTRATIVE RULES

DOCKET NO. 35-0110-1601

NOTICE OF INTENT TO PROMULGATE RULES - NEGOTIATED RULEMAKING

AUTHORITY: In compliance with Sections 67-5220(1) and 67-5220(2), Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Sections 63-105(2), 63-3624(a), 63-3635, and 63-3039, Idaho Code.

MEETING SCHEDULE: A public meeting(s) on the negotiated rulemaking will be held as follows:

Thursday, May 19, 2016 - 1:30 p.m. MDT

**Idaho State Tax Commission
Room 1CR5 – 1st Floor
800 Park Boulevard, Plaza IV
Boise, ID 8372-7742**

This rule may require further discussion in follow up meetings that will also be open to the public. Notification of any additional meetings will be posted on the Tax Commission's website at <http://tax.idaho.gov/i-1141.cfm?com=s> at least one week prior to the date of the meeting. All meeting agendas are also posted on the website which will contain specific information on the rules that will be discussed at a particular meeting. There is no guarantee that a particular rule will be discussed beyond the meeting noted above, so please plan accordingly.

The meeting site will be accessible to persons with disabilities, if needed. Requests for accommodation must be made not later than five (5) days prior to the meeting to the agency address below.

METHOD OF PARTICIPATION: Persons wishing to participate in the negotiated rulemaking must do the following:

Attend the scheduled meeting and participate in the discussion for any of the rules on the agenda. You may join the meeting by phone if you wish; however, notice must be given in advance so accommodations can be arranged.

Submit a written comment addressing one or more of the rules to be negotiated. All written comments must be received by July 31, 2016, or they may not receive consideration in the negotiated rulemaking process.

Upon conclusion of the negotiated rulemaking, any unresolved issues, all key issues considered, and conclusion reached during the negotiated rulemaking will be addressed in a written summary and made available on the agency website.

DESCRIPTIVE SUMMARY AND STATEMENT OF PURPOSE: The following is a statement in nontechnical language of the substance and purpose of the intended negotiated rulemaking and the principle issues involved:

Rule 017. SECURITY FOR TAX REQUIRED

The passage of House Bill 376 during the 2016 Idaho legislative session necessitates changes to this rule. The bill updated the bonding requirements for a person applying for a permit to become a cigarette wholesaler in Section 63-2510A, Idaho Code. Rule changes will be discussed to conform to the new law.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING DRAFT COPIES: For assistance on technical questions concerning this negotiated rulemaking contact Douglas Harrie at (208) 334-7680. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the agency's web site at the following web address: <http://tax.idaho.gov/i-1141.cfm?com=s>.

Anyone may submit written comments regarding this negotiated rulemaking. All written comments must be directed to the undersigned and must be delivered on or before July 31, 2016. Comments may be submitted via e-mail to sherry.briscoe@tax.idaho.gov.

DATED this 11th Day of April 2016.

Douglas J. Harrie
Tax Audit Manager
Idaho State Tax Commission
800 Park Blvd, Plaza IV
PO Box 36
Boise, ID 83722-0410
Phone: (208) 334-7680
Fax: (208)332-6619

IDAPA 39 - IDAHO TRANSPORTATION DEPARTMENT

39.03.00 - VEHICLES AND/OR LOADS THAT ARE REQUIRED TO OPERATE UNDER AN OVERLEGAL PERMIT

DOCKET NO. 39-0300-1601

OMNIBUS NOTICE OF INTENT TO PROMULGATE RULES - NEGOTIATED RULEMAKING

AUTHORITY: In compliance with Sections 67-5220(1) and 67-5220(2), Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Section 40-312, Idaho Code.

MEETING SCHEDULE: A public meeting on the negotiated rulemaking concerning overlegal loads and/or vehicles will be held as follows:

Wednesday, May 25, 2016 – 3:30 pm to 7:30 pm (MDT)

The Department will hold a webinar/conference call

METHOD OF PARTICIPATION: Persons wishing to participate in the negotiated rulemaking must do the following:

Participation *in-person* is available at the following locations:

ITD District 1 Office	ITD District 2 Office
600 W. Prairie Ave. Coeur d’Alene, ID	2600 Frontage Rd. Lewiston, ID
ITD Headquarters	ITD District 4 Office
3311 W. State St. Boise, ID	216 S. Date St. Shoshone, ID
ITD District 5 Office	ITD District 6 Office
5151 S. 5th Ave. Pocatello, ID	206 N. Yellowstone Ave. Rigby, Idaho

To participate in the negotiated rulemaking *webinar*, you will need to have internet connection on your computer or device, and follow the instructions below.

Go to ITD's website at <http://itd.idaho.gov> and click the “Rulemaking” tab on the left. Then click on the “Overlegal Rulemaking” box. There you will be provided with instructions on how to participate in the online webinar.

For audio AND if you would prefer to participate via *conference call*, dial **1-855-797-9485** and use **Access Code 807 422 457** and password **1234**.

The department is also soliciting written comments (see instructions in the “Contact Information” section below).

DESCRIPTIVE SUMMARY: The following is a statement in nontechnical language of the substance and purpose of the intended negotiated rulemaking and the principle issues involved:

This negotiated rulemaking is being promulgated in order for the Department to receive public feedback and comments regarding potential improvements to the permitting process and safety requirements for vehicles and loads that are required to operate under an overlegal permit. There will be a focus on potential improvements to the permitting process, safety requirements, regional harmonization, and customer service.

While the specific rule chapters that could be affected under IDAPA 39, Title 03, will be determined through the negotiated rulemaking process, the following is a list of rule chapters under Title 03 that could potentially be amended as a result of this negotiated rulemaking. Any chapter that is amended will be promulgated as an individual proposed rulemaking:

- IDAPA 39.03.01 - Rules Governing Definitions Regarding Overlegal Permits
- IDAPA 39.03.04 - Rules Governing Movement of Disabled Vehicles
- IDAPA 39.03.05 - Rules Governing Variable Load Suspension Axles
- IDAPA 39.03.07 - Rules Governing Restricted Routes for Semitrailers
- IDAPA 39.03.09 - Rules Governing Overlegal Permits - General Conditions and Requirements
- IDAPA 39.03.10 - Rules Governing When an Overlegal Permit is Required
- IDAPA 39.03.11 - Rules Governing Overlegal Permittee Responsibility and Travel Restrictions
- IDAPA 39.03.12 - Rules Governing Safety Requirements of Overlegal Permits
- IDAPA 39.03.13 - Rules Governing Overweight Permits
- IDAPA 39.03.15 - Rules Governing Excess Weight Permits for Reducible Loads
- IDAPA 39.03.16 - Rules Governing Oversize Permits for Non-Reducible Vehicles and/or Loads
- IDAPA 39.03.17 - Rules Governing Permits for Manufactured Homes, Modular Buildings and Office Trailers
- IDAPA 39.03.18 - Rules Governing Overlegal Permits for Relocation of Buildings or Houses
- IDAPA 39.03.20 - Rules Governing Application for Special Permits
- IDAPA 39.03.22 - Rules Governing Overlegal Permits for Extra Length, Excess Weight and Up to 129,000 Pound Vehicle Combinations
- IDAPA 39.03.23 - Rules Governing Revocation of Overlegal Permits

CONTACT INFORMATION, WEB ADDRESS, ASSISTANCE ON TECHNICAL QUESTIONS AND SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning this negotiated rulemaking, contact Reymundo Rodriguez, Motor Carrier Services Manager at (208) 334-8699.

Materials pertaining to the negotiated rulemaking process can be found on the Idaho Transportation Department's website at <http://itd.idaho.gov> (click the "Rulemaking" tab on the left side of the screen).

All written comments must be directed to the undersigned and be delivered on or before May 31, 2016. Comments may be submitted electronically, by phone or via USPS.

DATED this 12th Day of April, 2016.

Ramón Hobdey-Sánchez, Program Specialist
Governmental Affairs
Idaho Transportation Department
3311 W. State Street
P.O. Box 7129
Boise, ID 83707-1129
Phone: (208) 334-8810
ramon.hobdey-sanchez@itd.idaho.gov

IDAPA 42 - IDAHO WHEAT COMMISSION

42.01.01 - RULES OF THE IDAHO WHEAT COMMISSION

DOCKET NO. 42-0101-1501

NOTICE OF LEGISLATIVE ACTION - AGENCY FILING - FINAL RULE

AUTHORITY: In compliance with Sections 67-5224 and 67-5291, Idaho Code, notice is hereby given that the legislature has taken action by concurrent resolution on the pending rule promulgated under Docket No. 42-0101-1501. The affected section is being reprinted here pursuant to this legislative action in its final version in accordance with House Concurrent Resolution (HCR) 49.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement regarding the partial rejection:

Pursuant to **HCR 49**, IDAPA 42.01.01, "Rules of the Idaho Wheat Commission," the amendments to codified Section 301, Subsections 01., 02., and 03, only, adopted as pending rules under Docket Number **42-0101-1501**, are not consistent with legislative intent and are rejected and declared null, void and of no force and effect.

Codified Section 301 was amended and renumbered to Section 400 in the proposed rule. Pursuant to HCR 49, Section 301 will remain as previously codified and as previously numbered.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this notice, contact Dennis Stevenson, Administrative Rules Coordinator, at (208) 332-1820.

DATED this 20th day of April, 2016.

Dennis Stevenson
Administrative Rules Coordinator
Office of the Administrative Rules Coordinator
Department of Administration
P. O. Box 83720, Boise, ID 83720-0306
email: rulescoordinator@adm.idaho.gov

**The pending rule adopted under this docket was partially rejected by HCR 49.
The following rule text is the codified final rule and includes the rejected
pending rule text shown here as underscored and stricken.**

301~~400~~. INVOICES AND RECORDS.

01. Invoices. ~~Pursuant to~~ Section 22-3316, Idaho Code, provides for ~~the Purchaser shall issue separate~~ invoices to be delivered to the grower for each purchase. The Wheat Commission is ~~will~~ not providing a special form for this purpose and suggests that buyers use the final settlement vouchers of accounts of sale commonly used in Idaho. The amount of the Idaho state wheat tax deducted must ~~be~~ shown on each settlement voucher. (7-1-93)(~~---~~)

02. Final Settlement Vouchers. Buyers are not required to send the Commission copies of their settlement vouchers issued to individual growers, but should keep copies available for examination by representatives of the Commission at a later date ~~upon request~~. Where it is not the practice to issue settlement vouchers of accounts of sale, buyers should be sure that they have accurate records of all wheat bought ~~purchased~~ from growers and the amount of wheat bought ~~purchased~~ from each grower. (7-1-93)(~~---~~)

03. Elevator Operator Reports. ~~Elevator operators must submit to the Commission, at least annually, a report listing the growers who delivered wheat to their elevator each year. Such reports must include the name and contact information for each grower.~~ (~~---~~)

302. -- 999. (RESERVED)

IDAPA 50 - COMMISSION OF PARDONS AND PAROLE
50.01.01 - RULES OF THE COMMISSION OF PARDONS AND PAROLE
DOCKET NO. 50-0101-1501
NOTICE OF LEGISLATIVE ACTION - AGENCY FILING - FINAL RULE

AUTHORITY: In compliance with Sections 67-5224 and 67-5291, Idaho Code, notice is hereby given that the legislature has taken action by concurrent resolution on the pending rule promulgated under Docket No. 50-0101-1501. The affected section is being reprinted here pursuant to this legislative action in its final version in accordance with House Concurrent Resolution (HCR) 39.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement regarding the partial rejection:

Pursuant to [HCR 39](#), IDAPA 50.01.01, “Rules of the Commission of Pardons and Parole,” the amendment to codified Section 250, Subsection 05, only, adopted as a pending rule under Docket Number **50-0101-1501**, is not consistent with legislative intent and is rejected and declared null, void and of no force and effect.

Section 250, only, is being reprinted here in its entirety and in accordance with HCR 39.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this notice, contact Dennis Stevenson, Administrative Rules Coordinator, at (208) 332-1820.

DATED this 20th day of April, 2016.

Dennis Stevenson
Administrative Rules Coordinator
Office of the Administrative Rules Coordinator
Department of Administration
P. O. Box 83720, Boise, ID 83720-0306
email: rulescoordinator@adm.idaho.gov

**The pending rule adopted under this docket was partially rejected by HCR 39.
The following rule text is the codified final rule and includes the rejected
pending rule text shown here as underscored and stricken.**

250. PAROLE.

01. Parole Determination. The commission will use clear, evidence-based parole guidelines in making parole determinations, while still maintaining discretion of individual cases. (4-11-15)

a. The commission may release an offender to parole on or after the date of parole eligibility, or not at all. During a minimum term of confinement, an offender will not be eligible for parole, discharge, credit, or reduction of sentence for good conduct, except for meritorious conduct reduction service, or as provided in Section 20-101D, Idaho Code. (4-11-15)

b. Parole consideration is determined by the individual merits of each case. (4-11-15)

c. The commission uses evidence based parole consideration factors that are embedded in the clear parole guidelines; these guidelines will include the use of a validated risk and needs assessment. The commission still retains the discretion to deny parole of individual cases based on countervailing, discrete, individual case factors. Factors considered include, but are not limited to: (4-11-15)

- i. Seriousness and aggravation and/or mitigation involved in the crime. (3-23-98)
- ii. Prior criminal history of the offender. (4-11-15)
- iii. Failure or success of past probation and parole. (3-23-98)
- iv. Institutional history to include conformance to established rules, involvement in programs and jobs custody level at time of the hearing, and overall behavior. (3-23-98)
- v. Evidence of the development of a positive social attitude and the willingness to fulfill the obligations of a good citizen. (3-23-98)
- vi. Information or reports regarding physical or psychological condition. (3-23-98)
- vii. The strength and stability of the proposed parole plan, including adequate home placement and employment or maintenance and care. (3-23-98)
- viii. Outcome of a validated risk and needs assessment. (4-11-15)

02. Primary Review. For offenders eligible for parole a review for the purpose of setting the initial parole hearing will be conducted on all offenders. The commission is not responsible for the setting of a hearing until an official sentence calculation document has been received. (3-8-16)

a. The executive director or a designee will conduct the review following receipt of the sentence calculation from the department of correction, records office. The month and year of the initial parole hearing will be established based upon the sentence calculation. (4-11-15)

i. In cases of an offender serving a court-retained jurisdiction and have a current sentence, the primary review will not be scheduled on that case until the court-retained jurisdiction has been adjudicated. (3-8-16)

ii. In cases where the offender has a death sentence a primary hearing will not be scheduled. (3-8-16)

iii. In cases of specified minimum terms, the initial hearing will be set approximately six (6) months prior to the offender's parole eligibility date based on the sentence calculation. (4-11-15)

iv. In cases of offenses committed on or after February 1, 1987, and a minimum fixed term has been specified, the initial hearing may be scheduled six (6) months prior to the parole eligibility date, during the month of parole eligibility, or as noted in Subsection 250.02.b.vi. (4-11-15)

v. Consecutive Sentences. All fixed terms will be served before the indeterminate terms commence. (3-23-98)

vi. Concurrent Sentences. The initial hearing will not be scheduled until all fixed terms have been served. (4-11-15)

vii. If an offender escapes prior to the primary review or the initial hearing, the review or hearing will be conducted within a reasonable time of notification of the offender's return to custody, taking into consideration any additional commitments and the time to conduct an interview and report. (4-11-15)

viii. If an offender is committed to the department of correction and such offender is eligible for parole immediately, or within the first six (6) months of their incarceration, the initial parole hearing will be scheduled within six (6) months from the month the commission was notified of the commitment. (3-8-16)

ix. The commission is not responsible for the accuracy of the sentence calculation as determined by the department of correction, records office. (4-11-15)

03. General Conditions of Parole. The commission establishes rules and conditions for every offender released to parole. Rules and conditions of parole will be provided in writing and acknowledged by the parolee. Parolee will sign the agreement indicating the parolee's understanding of the conditions of parole. Conditions of parole include: (3-8-16)

a. The parolee is required to enter into and comply with an agreement of supervision with the board of correction. The agreement of supervision shall include provisions setting forth potential sanctions for a violation of the conditions imposed and potential rewards for compliance with the conditions imposed, as such sanctions and rewards are set forth in rules of the board. (3-8-16)

b. Parolee will go directly to the destination approved by the commission and, upon arrival, report as instructed to the parole officer or person whose name and address appear on the arrival notice; any deviation in travel plans will require prior permission from the commission staff. (3-23-98)

c. The parolee will: (4-11-15)

i. Work diligently in a lawful occupation or a program approved by the commission or supervising officer and not change employment or designated program without written permission from the commission or supervising officer. (3-23-98)

ii. Support dependents to the best of parolee's ability. (4-11-15)

iii. Live within lawful income without incurring unnecessary indebtedness. (3-23-98)

d. The parolee must submit a complete and truthful report to the assigned parole officer. (4-11-15)

e. If at any time it becomes necessary to communicate with the assigned parole officer or other official designee who is unavailable, communication will be directed to the district section supervisor. (4-11-15)

f. The parolee will: (3-23-98)

i. Obey all municipal, county, state, and federal laws. (3-23-98)

ii. Conduct himself or herself in a manner that is not, nor intended to be, harmful to himself or herself or others. (4-11-15)

iii. Follow written or oral instructions of the parole officer or commission. (3-23-98)

iv. Not purchase, own, sell, or have in the parolee's control, to include storing in residence, vehicle, etc., any type of firearm for whatever purpose. (4-11-15)

v. Not have any dangerous weapons used or intended to be used for other than normal purposes, such as knives for household use. (3-23-98)

g. The parolee will: (4-11-15)

i. Abstain from use of alcoholic beverages. (3-8-16)

ii. Abstain completely from the possession, procurement, use, or sale of narcotics or controlled substances, except as prescribed by a licensed medical practitioner. (3-23-98)

iii. Freely cooperate and voluntarily submit to medical and chemical tests and examinations for the purpose of determining if parolee is using or under the influence of alcohol, narcotics, or other substances, which may be at the parolee's expense. (4-11-15)

iv. Participate in treatment programs as specified by the commission or ordered by the parole officer. (3-23-98)

h. The parolee will submit to a search of person or property, or both, to include residence and vehicle, at any time and place by any agent of field services or the commission, and the parolee waives the constitutional right to be free from such searches. (4-11-15)

i. The parolee is fully advised that written permission is required to: (3-23-98)

i. Willfully change employment; (3-23-98)

ii. Willfully change residence; and (3-23-98)

iii. Leave the assigned district. (3-23-98)

j. The parolee will make himself available for supervision and will not actively avoid supervision. (3-23-98)

04. Special Conditions of Parole. (3-23-98)

a. In addition to general conditions of parole, the commission may add special conditions appropriate to the individual case. (3-23-98)

b. The commission delegates the authority to the executive director to add additional special conditions, before an offender has been released to parole or while on parole, after the offender has signed a statement acknowledging the special conditions. The commission will establish the special conditions of parole using the offender's most current risk and needs assessment to guide the imposition of necessary conditions. (3-8-16)

[Subsection 250.05 remains as codified]

05. Institutional Parole. (3-23-98)

a. An offender committed to the department of correction, who has a consecutive sentence and one (1) or more commitments do not have a fixed minimum term to serve prior to parole eligibility, may be considered for institutional parole while remaining incarcerated. (4-11-15)

b. Institutional parole may be considered at the discretion of the commission. (3-23-98)

c. While serving institutional parole, the parolee/offender is subject to all the rules of the housing facility and conditions ordered by the commission, to include, but not be limited to, submitting monthly reports as directed. (4-11-15)

d. If rules of the institution or orders of the commission are violated, the executive director or a commissioner will determine when a report of conduct/violation should be submitted. In the case of a report of violation, established rules of the violation/revocation process will apply. (4-11-15)

e. Conversion. Upon release from custody on any subsequent parole or upon completion of the consecutive sentence, and if any time remains on the institutional parole sentence, there will be an automatic conversion from institutional parole to regular parole, subject to all regular and special conditions of parole. (4-11-15)

06. Medical Parole. The commission may parole an offender for medical reasons during the determinate portion of a sentence. (4-11-15)

a. Consideration will occur when the offender is permanently incapacitated or terminally ill and when the commission reasonably believes the offender no longer poses a threat to the safety of society. (4-11-15)

b. An offender or designated department of correction personnel may petition the commission to consider medical parole. (4-11-15)

c. The commission may conduct an actual hearing or review of the case, or may designate commission staff to provide additional information and will require specific medical information in reference to the condition, the treatment or care plan if released, and any other information deemed necessary. (4-11-15)

d. An annual report will be submitted to the house and senate judiciary committees of the legislature and will contain aggregate health information and the names, medical condition, current status, and crime of all persons granted medical parole. (4-11-15)

07. Discharge from Parole. (3-23-98)

a. When the maximum sentence has expired, a final discharge will be issued by the commission, unless a commission warrant was issued before the full term release date. (4-11-15)

b. The commission may issue a final order of discharge prior to completion of the maximum sentence when the commission believes such a discharge is compatible with the parolee's welfare and that of society, and subject to the following requirements. When notification of a discharge is received, the victims will be notified of the request and allowed to respond. The commission may, without a hearing, consider the request. (4-11-15)

i. The commission will not consider an early discharge from parole in any case until the parolee has served at least one (1) year on parole as outlined in Section 20-233, Idaho Code. (4-11-15)

ii. The commission will not consider an early discharge for a parolee who has a sex crime or violent crime until one-third (1/3) of the remaining time from the parole release date to the maximum expiration date has been served on parole; or until five (5) years have been served on parole on a life sentence for any crime. (3-23-98)

iii. A parole officer or other designated agent can petition the commission to consider an early discharge upon reaching the timelines established in Subsection 250.09.b.i. (4-11-15)

iv. Any decision by the commission to grant an early discharge will not be effective until the official discharge document has been signed by the executive director or a commissioner. (3-23-98)

c. If a decision has been made by the commission to grant an early discharge, and adverse information is received that was not previously available, the document will not be signed and the discharge will not be effective. The executive director may issue a commission warrant based upon the new information and the discharge grant will automatically be voided without further action by the commission. Such adverse information will be submitted to the commission at the next available hearing session for reconsideration. If the executive director does not issue a warrant, the information will be referred to the commission for reconsideration. (4-11-15)

d. If the parolee is incapacitated, the commission may consider or grant, or both, an early discharge after one (1) year for any crime. (4-11-15)

08. Detainers. (3-23-98)

a. The commission may grant a parole to any county, state, or federal detainer which has been lodged against an offender. (4-11-15)

i. While in the custody of the detaining jurisdiction, the parolee is serving parole and is subject to all rules of the housing facility and may be required to submit monthly reports to commission staff or the supervising authority. (4-11-15)

ii. If the parolee is released from custody by the detaining jurisdiction, the parolee must contact the commission office immediately and must report to the nearest probation and parole office within five (5) days of release or as otherwise instructed by the commission staff. The parolee must abide by all regular rules of parole and any special conditions ordered by the commission. (4-11-15)

b. The commission may grant a parole to a federal immigration detainer in order that the offender may

be deported to the country of citizenship. (4-11-15)

i. If the parolee is granted a release on bond or is allowed to remain in the United States, the parolee must contact the commission office immediately and must contact the nearest probation and parole office within five (5) days of release or as otherwise instructed by the commission staff. (4-11-15)

ii. If the parolee is deported from the United States to the country of citizenship, the parolee is not to return to the United States and doing so is considered a violation of the parole contract. (4-11-15)

iii. The commission considers this type of parole grant an unsupervised parole, but the parolee is not obligated to submit monthly reports nor maintain contact with the commission as long as he remains outside of the United States. (4-11-15)

09. Special Progress Reports. A special progress report may be submitted by the supervising authority to request modification of a special condition of parole or advise of problems that have developed. (4-11-15)

10. Interstate Compact. The commission may grant parole and transfer supervision of an offender to another state under the Interstate Compact for Adult Offender Supervision outlined in Section 20-301, Idaho Code. (4-11-15)

a. An offender must be eligible for transfer of supervision to another state under the Interstate Compact and the receiving state must accept the transfer before the offender is released on parole. (4-11-15)

i. Any person under state parole who applies for a transfer of supervision to another state shall be required to post an application fee pursuant to Section 20-225A, Idaho Code, payable to Idaho Department of Correction, in addition to the commission's bond. (4-11-15)

b. Any offender granted parole under the Interstate Compact may be required to post a bond prior to release or prior to such acceptance under the Interstate Compact. The amount of the bond set by the commission is five hundred dollars (\$500.) (4-11-15)

i. A bond may be posted by the offender, the offender's family, or other interested party. The bond must be posted at the commission office. A cashier check or money order shall be the only acceptable means of posting bond. (4-11-15)

ii. Failure to successfully complete parole may be grounds for forfeiture of the bond. (4-11-15)

iii. Upon successful completion of parole, the amount of the bond may be returned to payee, less an amount for administrative costs as determined by the commission rule. (4-11-15)

iv. A request must be made for return of the bond within one (1) year of discharge of the offense for which the offender was serving parole. (4-11-15)

IDAPA 58 - DEPARTMENT OF ENVIRONMENTAL QUALITY

58.01.01 - RULES FOR THE CONTROL OF AIR POLLUTION IN IDAHO

DOCKET NO. 58-0101-1601

NOTICE OF INTENT TO PROMULGATE RULES - NEGOTIATED RULEMAKING

AUTHORITY: In compliance with Section 67-5220, Idaho Code, and IDAPA 58.01.23, Rules of Administrative Procedure Before the Board of Environmental Quality, Sections 810 through 815, notice is hereby given that this agency intends to promulgate a rule and desires public participation before publishing a proposed rule. This rulemaking action is authorized by Sections 39-105, 39-107, and 39-114, Idaho Code.

METHOD OF PARTICIPATION: Those interested in participating in the negotiated rulemaking process are encouraged to attend the meetings at one of the following locations. The public may participate by telephone and web conferencing at any of the meeting locations or with individual connections. Individuals interested in participating by telephone and web conferencing should contact the undersigned by the dates provided in the table below. For those who cannot participate by attending the meetings, information for submitting written comments is provided at the end of this notice.

MEETING SCHEDULE: The negotiated rulemaking meetings will be held as follows. Additional meetings will be scheduled if necessary.

ORIGINATING LOCATION – LIVE MEETING DEQ State Office Conference Center 1410 N. Hilton, Boise, Idaho	
TELEPHONE & WEB CONFERENCE LOCATIONS	
DEQ Coeur d’Alene Regional Office 2110 Ironwood Parkway Coeur d’Alene, Idaho	DEQ Lewiston Regional Office 1118 F Street Lewiston, Idaho
DEQ Twin Falls Regional Office 650 Addison Avenue West, Suite 110 Twin Falls, Idaho	DEQ Pocatello Regional Office 444 Hospital Way #300 Pocatello, Idaho
DEQ Idaho Falls Regional Office 900 N. Skyline, Suite B Idaho Falls, Idaho	
Meeting Date & Times	*Telephone & Web Conferencing Information*
Wednesday, May 18, 2016 9:00 a.m. - 12:30 p.m. (MT)	Contact the undersigned by <i>May 11, 2016</i> to make arrangements for participation by telephone and web conferencing
Thursday, June 23, 2016 9:00 a.m. - 12:30 p.m. (MT)	Contact the undersigned by <i>June 16, 2016</i> to make arrangements for participation by telephone and web conferencing

PRELIMINARY DRAFT RULE: The preliminary draft rule can be obtained at www.deq.idaho.gov/58-0101-1601 or by contacting Paula Wilson at paula.wilson@deq.idaho.gov, (208) 373-0418.

DESCRIPTIVE SUMMARY: The crop residue burning rules have been in effect since 2008. One aspect of the rule requires that, prior to approving a crop residue burn, DEQ determines that 1) air quality is not exceeding 75% of any National Ambient Air Quality Standards (NAAQS), and 2) air quality is not projected to exceed such level during the next 24 hours. Fine particulate matter (PM_{2.5}) is the pollutant most directly affected by crop residue burning. There are days when PM_{2.5} concentrations are not a concern, but ozone concentrations exceed or are projected to exceed 75% of the ozone NAAQS. As a result, crop residue burns are not approvable despite the fact that 1) the weather conditions exhibit good smoke dispersion characteristics, and 2) DEQ technical staff expects the burns to have minimal impact on ambient ozone concentrations (NAAQS). Therefore, burning may not be allowed on good burn days even when the burn is not predicted to cause or significantly contribute to a violation of the ozone NAAQS. The goal of this rulemaking is to develop a more appropriate threshold number for ozone that is still protective of the ozone NAAQS, but also providing farmers the ability to burn while following smoke management best practices. Additionally, threshold numbers for other pollutants, including PM_{2.5}, may be revised.

The text of the rule will be drafted by DEQ in conjunction with a negotiating committee made up of persons having an interest in the development of this rule. Farmers desiring to burn crop residue, members of the regulated community who may be subject to Idaho's air quality rules, special interest groups, Idaho State Department of Agriculture, tribes, public officials, and members of the public who have an interest in the regulation of air emissions from sources in Idaho may be interested in participating in this rulemaking.

Upon conclusion of negotiations, DEQ intends to publish a proposed rule for public comment in the summer of 2016. DEQ intends to present the final proposal to the Idaho Board of Environmental Quality (Board) in May 2017 for adoption of a temporary/pending rule. However, before DEQ presents this rule docket to the Board for adoption, it will be necessary to revise Idaho Code § 39-114. Proposed legislation will be drafted in conjunction with the negotiated rulemaking and will be submitted to the 2017 Idaho Legislature. If the legislation is enacted and the temporary/pending rule is adopted by the Board, DEQ will develop a revised State Implementation Plan (SIP) and submit the SIP to the U.S. Environmental Protection Agency (EPA) for approval. The rule revisions made under this docket will not be implemented until approved by EPA.

ASSISTANCE ON TECHNICAL QUESTIONS AND SUBMISSION OF WRITTEN COMMENTS: For assistance on questions concerning this rulemaking, contact Mary Anderson at mary.anderson@deq.idaho.gov or (208) 373-0202.

For those who cannot participate by attending the scheduled meetings, written comments may be submitted by mail, fax or email at the address below. Written comments on the preliminary draft rule must be received by May 25, 2016. For information regarding submission of written comments on subsequent drafts of the negotiated rule, to receive copies of submitted written comments, and to receive the most recent version of the draft negotiated rule, contact the undersigned.

Dated this 4th day of May, 2016.

Paula J. Wilson
Hearing Coordinator
Department of Environmental Quality
1410 N. Hilton, Boise, Idaho 83706-1255
Tel: (208) 373-0418 / Fax: (208) 373-0481
paula.wilson@deq.idaho.gov

IDAPA 59 - PUBLIC EMPLOYEE RETIREMENT SYSTEM OF IDAHO

59.02.01 - RULES FOR THE JUDGES' RETIREMENT FUND

DOCKET NO. 59-0201-1602

NOTICE OF RULEMAKING - PROPOSED RULE

AUTHORITY: In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to Section 1-2012, Idaho Code.

PUBLIC HEARING SCHEDULE: Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than May 18, 2016.

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

DESCRIPTIVE SUMMARY: The following is a nontechnical explanation of the substance and purpose of the proposed rulemaking:

Add new subsection 05. to rule 101 to make clear that the IRC section 415 limitation on benefits applies to the combined benefits from all plans if a member participates in two or more qualified defined benefit plans maintained by the employer (or a predecessor employer). This change is being made pursuant to requirement of the IRS pursuant to the receipt of the determination letter received in December of 2015. The current section 415(b) limit (for 2016) is \$210,000.

FEE SUMMARY: The following is a specific description of the fee or charge imposed or increased: None.

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year resulting from this rulemaking: NA

NEGOTIATED RULEMAKING: Pursuant to IDAPA 04.11.01.811, negotiated rulemaking was not conducted because it would be inconsistent with the Retirement Board's exclusive fiduciary responsibility for plan operations.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the proposed rule, contact Joanna L. Guilfooy, Deputy Attorney General, PERSI, (208) 287-9271.

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before May 25, 2016.

DATED this 15th Day of March, 2016.

Don Drum
Executive Director
Public Employee Retirement System of Idaho
607 N. 8th Street, Boise, ID 83702
P.O. Box 83720, Boise, ID 83720-0078
Phone: (208) 287-9230
Fax: (208) 334-3408

THE FOLLOWING IS THE PROPOSED TEXT OF DOCKET NO. 59-0201-1602
(Only Those Sections With Amendments Are Shown.)

101. MAXIMUM LIMITATIONS ON BENEFITS (RULE 101).

Beginning effective January 1, 2002, the "defined benefit dollar limitation" is one hundred sixty thousand dollars (\$160,000), as adjusted, effective January 1 of each year thereafter, under section 415(d) of the Internal Revenue Code (Code) in such manner as the Secretary shall prescribe, and payable in the form of a straight life annuity. A limitation as adjusted under section 415(d) will apply to limitation years ending with or within the calendar year for which the adjustment applies. The "maximum permissible benefit" is the defined benefit dollar limitation (adjusted where required, as provided in Subsection 101.01 and, if applicable, in Subsections 101.02 through 101.04).

(7-21-15)

01. Less Than Ten Years of Service. If the Member has fewer than ten (10) years of participation in the Judges' Retirement Fund, the defined benefit dollar limitation shall be multiplied by a fraction:

(7-21-15)

a. The numerator of which is the number of years (or part thereof) of participation in the Judges' Retirement Fund; and

(7-21-15)

b. The denominator of which is ten (10).

(7-21-15)

02. Benefit Begins Prior to Age Sixty-Two. If the benefit of a Member begins prior to age sixty-two (62), the defined benefit dollar limitation applicable to the Member at such earlier age is an annual benefit payable in the form of a straight life annuity beginning at the earlier age that is the actuarial equivalent of the defined benefit dollar limitation applicable to the Member at age sixty-two (62) (adjusted under Rule 101.01, if required). The defined benefit dollar limitation applicable at an age prior to age sixty-two (62) is determined as set forth in IRS regulation under section 415(b)(2) of the Code.

(7-21-15)

03. Benefit Begins at Age Sixty-Five. If the benefit of a Member begins after the Member attains age sixty-five (65), the defined benefit dollar limitation applicable to the Member at the later age is the annual benefit payable in the form of a straight life annuity beginning at the later age that is actuarially equivalent to the defined benefit dollar limitation applicable to the Member at age sixty-five (65) (adjusted under Rule 101.01, if required.) The actuarial equivalent of the defined benefit dollar limitation applicable at an age after age sixty-five (65) is determined as set forth in IRS regulation under section 415(b)(2) of the Code.

(7-21-15)

04. Transition. Benefit increases resulting from the increase in the limitations of section 415(b) of the Code shall be provided to all current and former Members (with benefits limited by section 415(b)) who have an accrued benefit under the Judges' Retirement Fund immediately prior to the effective date of this Rule (other than an accrued benefit resulting from a benefit increase solely as a result of the increases in limitations under section 415(b).)

(7-21-15)

05. Aggregation. If any member participates in two (2) or more qualified defined benefit plans maintained by the employer (or a predecessor employer), the combined benefits from all such plans may not exceed the "maximum permissible benefit" described in this Rule 101. ()

HOUSE CONCURRENT RESOLUTION NO. 39

LEGISLATURE OF THE STATE OF IDAHO
Sixty-Third Legislature, Second Regular Session - 2016

IN THE HOUSE OF REPRESENTATIVES
HOUSE CONCURRENT RESOLUTION NO. 39
BY JUDICIARY, RULES, AND ADMINISTRATION COMMITTEE

A CONCURRENT RESOLUTION STATING FINDINGS OF THE LEGISLATURE
AND REJECTING A CERTAIN RULE OF THE IDAHO COMMISSION OF PARDONS AND PAROLE
RELATING TO RULES OF THE COMMISSION OF PARDONS AND PAROLE.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 67-5291, Idaho Code, in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that a certain rule of the Idaho Commission of Pardons and Parole relating to Rules of the Commission of Pardons and Parole is not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-third Idaho Legislature, the House of Representatives and the Senate concurring therein, that IDAPA 50.01.01, the Idaho Commission of Pardons and Parole, Rules of the Commission of Pardons and Parole, Section 250., Subsection 05., only, adopted as a pending rule under Docket Number **50-0101-1501**, be, and the same is hereby rejected and declared null, void and of no force and effect.

Statement of Purpose / Fiscal Impact:

STATEMENT OF PURPOSE RS24445

Members of the Second Regular Session of the Sixty-third Idaho Legislature, the House of Representatives concurring therein, that IDAPA 50.01.01, the Idaho Commission of Pardons and Parole, Rules of the Commission of Pardons and Parole, Section 250., Subsection 05., only, rejected as a pending rule under Docket Number 50-0101-1501, be, and the same is hereby rejected and declared null, void and of no force and effect.

FISCAL NOTE

There is no fiscal impact to the General Fund.

Contact:

Representative Thomas Dayley
(208) 332-1000

Adopted: March 08, 2016.

HOUSE CONCURRENT RESOLUTION NO. 40

LEGISLATURE OF THE STATE OF IDAHO
Sixty-Third Legislature, Second Regular Session - 2016

IN THE HOUSE OF REPRESENTATIVES
HOUSE CONCURRENT RESOLUTION NO. 40
BY JUDICIARY, RULES, AND ADMINISTRATION COMMITTEE

A CONCURRENT RESOLUTION STATING FINDINGS OF THE LEGISLATURE
AND REJECTING A CERTAIN RULE DOCKET OF THE IDAHO STATE POLICE
RELATING TO RULES GOVERNING ALCOHOL BEVERAGE CONTROL.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 67-5291, Idaho Code, in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that a certain rule docket of the Idaho State Police relating to Rules Governing Alcohol Beverage Control is not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-third Idaho Legislature, the House of Representatives and the Senate concurring therein, that IDAPA 11.05.01, Rules of the Idaho State Police, Rules Governing Alcohol Beverage Control, adopted as a pending rule under Docket Number **11-0501-1401**, the entire rulemaking docket, be, and the same is hereby rejected and declared null, void and of no force and effect.

Statement of Purpose / Fiscal Impact:

STATEMENT OF PURPOSE RS24512

Members of the Second Regular Session of the Sixty-third Idaho Legislature, the House of Representatives concurring therein, that IDAPA 11.05.01, the Idaho State Police, Rules Governing Alcohol Beverage Control, adopted as a pending rule under Docket Number 11-0501-1401, the entire rulemaking docket, be, and the same is hereby rejected and declared null, void and of no force and effect.

FISCAL NOTE

There is no fiscal impact to the General Fund.

Contact:

Representative Thomas Dayley
(208) 332-1000

Adopted: March 08, 2016.

HOUSE CONCURRENT RESOLUTION NO. 44

LEGISLATURE OF THE STATE OF IDAHO
Sixty-Third Legislature, Second Regular Session - 2016

IN THE HOUSE OF REPRESENTATIVES
HOUSE CONCURRENT RESOLUTION NO. 44
BY EDUCATION COMMITTEE

A CONCURRENT RESOLUTION STATING FINDINGS OF THE LEGISLATURE
AND REJECTING A CERTAIN RULE DOCKET OF THE STATE BOARD OF AND STATE
DEPARTMENT OF EDUCATION RELATING TO RULES GOVERNING THOROUGHNESS.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 67-5291, Idaho Code, in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that a certain rule docket of the State Board of and State Department of Education relating to Rules Governing Thoroughness is not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-third Idaho Legislature, the House of Representatives and the Senate concurring therein, that IDAPA 08.02.03, State Board of and State Department of Education, Rules Governing Thoroughness, adopted as a pending rule under Docket Number **08-0203-1509**, the entire rulemaking docket, be, and the same is hereby rejected and declared null, void and of no force and effect.

Statement of Purpose / Fiscal Impact:

STATEMENT OF PURPOSE RS24420

Rules of the State Board of and State Department of Education, Rules Governing Thoroughness, reject Docket Number 08-0203-1509, the entire rulemaking docket, to be, and declared null, void and of no force and effect.

FISCAL NOTE

No fiscal impact to the General Fund.

Contact:

Representative Reed DeMordaunt
(208) 332-1000

Adopted: March 09, 2016.

HOUSE CONCURRENT RESOLUTION NO. 45

LEGISLATURE OF THE STATE OF IDAHO
Sixty-Third Legislature, Second Regular Session - 2016

IN THE HOUSE OF REPRESENTATIVES
HOUSE CONCURRENT RESOLUTION NO. 45
BY EDUCATION COMMITTEE

A CONCURRENT RESOLUTION STATING FINDINGS OF THE LEGISLATURE
AND REJECTING CERTAIN RULES OF THE STATE BOARD OF EDUCATION
REGARDING RULES GOVERNING THE OPPORTUNITY SCHOLARSHIP PROGRAM.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 67-5291, Idaho Code, in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that certain rules of the State Board of Education relating to Rules Governing the Opportunity Scholarship Program are not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-third Idaho Legislature, the House of Representatives and the Senate concurring therein, that IDAPA 08.01.13, State Board of Education, Rules Governing the Opportunity Scholarship Program, Section 010., Subsection 01. and Section 101., Subsection 02.a., only, adopted as pending rules under Docket Number **08-0113-1501**, be, and the same are hereby rejected and declared null, void and of no force and effect.

Statement of Purpose / Fiscal Impact:

STATEMENT OF PURPOSE RS24419

Rules of the State Board of Education, Rules Governing the Opportunity Scholarship Program, reject Docket 08.01.13, Section 010., Subsection 01. and Section 101., Subsection 02.a., only, adopted as pending rules under Docket Number 08-0113-1501, be, and declared null, void and of no force and effect.

FISCAL NOTE

No fiscal impact to the General Fund.

Contact:

Representative Reed DeMordaunt
(208) 332-1000

Adopted: March 09, 2016.

HOUSE CONCURRENT RESOLUTION NO. 49

LEGISLATURE OF THE STATE OF IDAHO
Sixty-Third Legislature, Second Regular Session - 2016

IN THE HOUSE OF REPRESENTATIVES
HOUSE CONCURRENT RESOLUTION NO. 49
BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION STATING FINDINGS OF THE LEGISLATURE
AND REJECTING CERTAIN RULES OF THE IDAHO WHEAT COMMISSION
RELATING TO RULES OF THE IDAHO WHEAT COMMISSION.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 67-5291, Idaho Code, in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that certain rules of the Idaho Wheat Commission relating to Rules of the Idaho Wheat Commission are not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-third Idaho Legislature, the House of Representatives and the Senate concurring therein, that IDAPA 42.01.01, the Idaho Wheat Commission, Rules of the Idaho Wheat Commission, proposed amendments to codified Section 301., including Subsections 01., 02. and 03., adopted as pending rules under Docket Number **42-0101-1501**, only, be, and the same are hereby rejected and declared null, void and of no force and effect.

Statement of Purpose / Fiscal Impact:

STATEMENT OF PURPOSE RS24592

This concurrent resolution rejects proposed amendments to codified Section 301, including subsections 01, 02 and 03 of the Idaho State Wheat Commission Rules, which includes proposed amendments to IDAPA 42.01.01.

FISCAL NOTE

No fiscal impact.

Contact:
Representative Gayle L. Batt
(208) 332-1000

Adopted: March 14, 2016.

HOUSE CONCURRENT RESOLUTION NO. 51

LEGISLATURE OF THE STATE OF IDAHO
Sixty-Third Legislature, Second Regular Session - 2016

IN THE HOUSE OF REPRESENTATIVES
HOUSE CONCURRENT RESOLUTION NO. 51
BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION STATING FINDINGS OF THE LEGISLATURE
AND REJECTING CERTAIN FINAL AND CERTAIN PENDING RULES OF THE IDAHO PUBLIC
UTILITIES COMMISSION RELATING TO SAFETY AND ACCIDENT REPORTING RULES
FOR UTILITIES REGULATED BY THE IDAHO PUBLIC UTILITIES COMMISSION.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 67-5291, Idaho Code, in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that certain rules of the Idaho Public Utilities Commission relating to Safety and Accident Reporting Rules for Utilities Regulated by the Idaho Public Utilities Commission are not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-third Idaho Legislature, the House of Representatives and the Senate concurring therein, that IDAPA 31.11.01, the Idaho Public Utilities Commission, Rules Governing Safety and Accident Reporting Rules for Utilities Regulated by the Idaho Public Utilities Commission, Sections 202 and 203, adopted as pending rules under Docket Number **31-1101-1501**, only; and final rules Sections 202 and 203, only, be, and the same are hereby rejected and declared null, void and of no force and effect.

Statement of Purpose / Fiscal Impact:

STATEMENT OF PURPOSE RS24626

This resolution rejects a portion of the Rules Governing Safety and Accident Reporting of the Idaho Public Utilities Commission under IDAPA 31.11.01, codified final rules Sections 202 and 203, to eliminate duplicative and conflicting language that exists between the Public Utilities Commission and the Division of Building Safety.

FISCAL NOTE

There is no fiscal impact.

Contact:

Representative Gayle L. Batt
(208) 332-1000

Adopted: March 22, 2016.

HOUSE CONCURRENT RESOLUTION NO. 55

LEGISLATURE OF THE STATE OF IDAHO
Sixty-Third Legislature, Second Regular Session - 2016

IN THE HOUSE OF REPRESENTATIVES
HOUSE CONCURRENT RESOLUTION NO. 55
BY RESOURCES AND CONSERVATION COMMITTEE

A CONCURRENT RESOLUTION STATING FINDINGS OF THE LEGISLATURE
AND REJECTING A CERTAIN RULE DOCKET OF THE IDAHO DEPARTMENT OF
FISH AND GAME RELATING TO THE TRAPPING OF PREDATORY AND
UNPROTECTED WILDLIFE AND THE TAKING OF FURBEARING ANIMALS.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 67-5291, Idaho Code, in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that a certain rule docket of the Idaho Department of Fish and Game relating to The Trapping of Predatory and Unprotected Wildlife and the Taking of Furbearing Animals is not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-third Idaho Legislature, the House of Representatives and the Senate concurring therein, that IDAPA 13.01.16, Rules of the Idaho Department of Fish and Game, Rules Governing The Trapping of Predatory and Unprotected Wildlife and the Taking of Furbearing Animals, adopted as a pending rule under Docket Number **13-0116-1501**, the entire rulemaking docket, be, and the same is hereby rejected and declared null, void and of no force and effect.

Statement of Purpose / Fiscal Impact:

STATEMENT OF PURPOSE RS24674

A Concurrent Resolution stating the findings of Legislature and rejecting a certain rule docket of the Idaho Department of Fish and Game relating to the Trapping of Predatory and Unprotected Wildlife and the Taking of Furbearing Animals, Docket Number 13-0116-1501.

FISCAL NOTE

There is no fiscal impact to the General Fund.

Contact:
Representative Fred Wood
(208) 332-1000

Adopted: March 22, 2016.

SENATE CONCURRENT RESOLUTION NO. 139

LEGISLATURE OF THE STATE OF IDAHO
Sixty-Third Legislature, Second Regular Session - 2016

IN THE SENATE
SENATE CONCURRENT RESOLUTION NO. 139
BY EDUCATION COMMITTEE

A CONCURRENT RESOLUTION STATING FINDINGS OF THE LEGISLATURE
AND REJECTING A CERTAIN RULE DOCKET OF THE STATE BOARD OF AND STATE
DEPARTMENT OF EDUCATION RELATING TO RULES GOVERNING THOROUGHNESS.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 67-5291, Idaho Code, in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that a certain rule docket of the State Board of and State Department of Education relating to Rules Governing Thoroughness is not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that IDAPA 08.02.03, Rules of the State Board of and State Department of Education, Rules Governing Thoroughness, adopted as a pending rule under Docket Number **08-0203-1503**, the entire rulemaking docket, be, and the same is hereby rejected and declared null, void and of no force and effect.

Statement of Purpose / Fiscal Impact:

**STATEMENT OF PURPOSE
RS24501**

Rules of the State Board of and State Department of Education, Rules Governing thoroughness, reject as a pending rule under Docket Number 08-0203-1503, the entire rulemaking docket, to be, null, void and of no force and effect.

FISCAL NOTE

No fiscal impact to the General Fund.

Contact:

Senator Steven P. Thayn
(208) 332-1000

Adopted: March 22, 2016.

SENATE CONCURRENT RESOLUTION NO. 140

LEGISLATURE OF THE STATE OF IDAHO
Sixty-Third Legislature, Second Regular Session - 2016

IN THE SENATE
SENATE CONCURRENT RESOLUTION NO. 140
BY EDUCATION COMMITTEE

A CONCURRENT RESOLUTION STATING FINDINGS OF THE LEGISLATURE
AND REJECTING A CERTAIN RULE DOCKET OF THE STATE BOARD OF AND STATE
DEPARTMENT OF EDUCATION RELATING TO RULES GOVERNING THOROUGHNESS.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 67-5291, Idaho Code, in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that a certain rule docket of the State Board of and State Department of Education relating to Rules Governing Thoroughness is not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that IDAPA 08.02.03, Rules of the State Board of and State Department of Education, Rules Governing Thoroughness, adopted as a pending rule under Docket Number **08-0203-1506**, the entire rulemaking docket, be, and the same is hereby rejected and declared null, void and of no force and effect.

Statement of Purpose / Fiscal Impact:

**STATEMENT OF PURPOSE
RS24503**

Rules of the State Board of and State Department of Education, Rules Governing Thoroughness, reject Docket Number 08-0203-1506, the entire rulemaking docket, to be, and declared null, void and of no force and effect.

FISCAL NOTE

No fiscal impact to the General Fund.

Contact:

Senator Steven P. Thayn
(208) 332-1000

Adopted: March 22, 2016.

SENATE CONCURRENT RESOLUTION NO. 141

LEGISLATURE OF THE STATE OF IDAHO
Sixty-Third Legislature, Second Regular Session - 2016

IN THE SENATE
SENATE CONCURRENT RESOLUTION NO. 141
BY EDUCATION COMMITTEE

A CONCURRENT RESOLUTION STATING FINDINGS OF THE LEGISLATURE
AND REJECTING A CERTAIN RULE DOCKET OF THE STATE BOARD OF AND STATE
DEPARTMENT OF EDUCATION RELATING TO RULES GOVERNING THOROUGHNESS.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 67-5291, Idaho Code, in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that a certain rule docket of the State Board of and State Department of Education relating to Rules Governing Thoroughness is not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that IDAPA 08.02.03, Rules of the State Board of and State Department of Education, Rules Governing Thoroughness, adopted as a pending rule under Docket Number **08-0203-1511**, the entire rulemaking docket, be, and the same is hereby rejected and declared null, void and of no force and effect.

Statement of Purpose / Fiscal Impact:

STATEMENT OF PURPOSE RS24504

Rules of the State Board of and State Department of Education, Rules Governing Thoroughness, reject Docket Number 08-0203-1511, the entire rulemaking docket, to be, and declared null, void and of no force and effect.

FISCAL NOTE

No fiscal impact to the General Fund.

Contact:

Senator Steven P. Thayn
(208) 332-1000

Adopted: March 22, 2016.

SENATE CONCURRENT RESOLUTION NO. 153

LEGISLATURE OF THE STATE OF IDAHO
Sixty-Third Legislature, Second Regular Session - 2016

IN THE SENATE
SENATE CONCURRENT RESOLUTION NO. 153
BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION STATING LEGISLATIVE FINDINGS AND APPROVING ADMINISTRATIVE RULES THAT IMPOSE A FEE OR CHARGE, WITH EXCEPTIONS, AND REJECTING CERTAIN AGENCY RULE DOCKETS THAT ARE NOT APPROVED.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature pursuant to Section 67-5224, Idaho Code, must approve certain administrative rules that impose a fee or charge by adoption of a concurrent resolution before the rules become effective; and

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 67-5291, Idaho Code, in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that a certain rule docket of the Idaho State Police, Alcohol Beverage Control Bureau, Rules Governing Alcohol Beverage Control, is not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that a certain rule docket of the Department of Health and Welfare, Rules Governing Certified Family Homes, is not consistent with legislative intent; and

WHEREAS, the Legislature finds that it is in the public interest to adopt this resolution.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that all pending administrative rules or portions of pending administrative rules adopted by state agencies pursuant to the Administrative Procedure Act during the prior calendar year, and submitted through the Office of the Administrative Rules Coordinator to the Legislature for review during the 2016 legislative session, which impose a fee or charge, be, and the same are approved, with the exception of the following enumerated pending fee rules:

IDAPA 11.05.01, the Idaho State Police, Alcohol Beverage Control Bureau, Rules Governing Alcohol Beverage Control, adopted as a pending fee rule under Docket Number **11-0501-1501**, the entire rulemaking docket.

IDAPA 16.03.19, the Department of Health and Welfare, Rules Governing Certified Family Homes, adopted as a pending fee rule under Docket Number **16-0319-1502**, the entire rulemaking docket.

BE IT FURTHER RESOLVED that IDAPA 11.05.01, the Idaho State Police, Alcohol Beverage Control Bureau, Rules Governing Alcohol Beverage Control, adopted as a pending fee rule under Docket Number 11-0501-1501, the entire rulemaking docket, and IDAPA 16.03.19, the Department of Health and Welfare, Rules Governing Certified Family Homes, adopted as a pending fee rule under Docket Number 16-0319-1502, the entire rulemaking docket, are hereby rejected and not approved, and thereby pursuant to Section 67-5291 and Section 67-5224, Idaho Code, are declared null, void and of no force and effect.

BE IT FURTHER RESOLVED that rule provisions imposing fees or charges that were not submitted through the Office of the Administrative Rules Coordinator for legislative review or that otherwise are not included and approved in this concurrent resolution shall be null, void and of no force and effect unless approved by adoption of a separate concurrent resolution by both houses of the Legislature as provided in Section 67-5224, Idaho Code.

Statement of Purpose / Fiscal Impact:

STATEMENT OF PURPOSE
RS24721

By statute, state agency rules promulgated under the Idaho Administrative Procedures Act that impose a fee or charge do not go into effect unless approved by concurrent resolution of the Legislature. This concurrent resolution, with two exceptions, approves agency rules imposing a fee or charge that were adopted during the prior calendar year and were submitted through the Office of the Administrative Rules Coordinator to the Legislature for review during the 2016 legislative session which shall be in full force and effect upon the adoption of this concurrent resolution or upon the date specified in the administrative rule.

FISCAL NOTE

Adoption of this concurrent resolution, in and of itself, could have no fiscal impact upon any state or local government funds or accounts beyond the scope or impact of the individual fee rules themselves.

Contact:

Dennis Stevenson, Administrative Rules Coordinator
Office of Administrative Rules Coordinator
(208) 332-1822

Adopted: March 24, 2016.

SENATE CONCURRENT RESOLUTION NO. 154

LEGISLATURE OF THE STATE OF IDAHO
Sixty-Third Legislature, Second Regular Session - 2016

IN THE SENATE
SENATE CONCURRENT RESOLUTION NO. 154
BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION STATING LEGISLATIVE FINDINGS AND APPROVING
AND EXTENDING TEMPORARY RULES REVIEWED BY THE LEGISLATURE.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature by statute must approve temporary rules by adoption of a concurrent resolution approving the rule if the temporary rule is to remain in effect beyond the end of the current legislative session; and

WHEREAS, the expiration of temporary rules would occasion additional expense to state agencies in readopting and republishing temporary rules needed to conduct state business; and

WHEREAS, the Legislature finds that it is in the public interest to adopt this resolution.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that all temporary rules adopted by state agencies pursuant to the Administrative Procedure Act and submitted to the Legislature at the Legislature's request through the Office of the Administrative Rules Coordinator for review during the 2016 legislative session, be, and the same are approved.

BE IT FURTHER RESOLVED that a temporary rule or partial temporary rule approved by this concurrent resolution shall remain in effect until it expires by its own terms or by operation of law or until it is replaced by a final rule, but in no event shall a temporary rule remain in effect beyond the conclusion of the First Regular Session of the Sixty-fourth Idaho Legislature unless it is further extended by adoption of a concurrent resolution by both houses of the Legislature. Temporary rules or sections of temporary rules which are excepted from approval hereunder or which were not submitted to the Legislature for review during the 2016 legislative session shall expire by operation of statute upon adjournment of the Second Regular Session of the Sixty-third Idaho Legislature, unless approved by adoption of a separate concurrent resolution by both houses of the Legislature.

Statement of Purpose / Fiscal Impact:

STATEMENT OF PURPOSE RS24722

By statute, temporary rules promulgated by state agencies under the Idaho Administrative Procedures Act expire at the end of the current legislative session. This concurrent resolution approves and extends state agency temporary rules beyond the current legislative session.

FISCAL NOTE

Adoption of this concurrent resolution, in and of itself, could have no fiscal impact upon any state or local government funds or accounts beyond the scope of impact of the individual rules themselves. By adopting this concurrent resolution, the Legislature avoids having agency rules expire, which would occasion additional expense to state agencies for readopting and republishing temporary rules needed to conduct state business.

Contact:

Dennis Stevenson, Administrative Rules Coordinator
Office of the Administrative Rules Coordinator
(208) 332-1822

Adopted: March 24, 2016.

Sections Affected Index

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LEGAL NOTICE

Summary of Proposed Rulemakings

PUBLIC NOTICE OF INTENT TO PROPOSE OR PROMULGATE NEW OR CHANGED AGENCY RULES

The following agencies of the state of Idaho have published the complete text and all related, pertinent information concerning their intent to change or make the following rules in the latest publication of the state Administrative Bulletin.

IDAPA 35 - IDAHO STATE TAX COMMISSION PO Box 36, Boise, ID 83722-0410

35-0105-1601, Idaho Motor Fuels Tax Administrative Rules. Adds references to and clarifies appeal rights; updates documents incorporated by reference and Idaho Code citations; removes gaseous fuels permit program references after program was eliminated in compliance with HB 132 passed in 2015. Comment by 5/25/16.

IDAPA 59 - PUBLIC EMPLOYEE RETIREMENT SYSTEM OF IDAHO PO Box 83720, Boise, ID 83720-0078

59-0201-1602, Rules for the Judges' Retirement Fund. Clarifies that the IRC section 415 limitation on benefits applies to the combined benefits from all plans if a member participates in two or more qualified defined benefit plans maintained by the employer (or a predecessor employer). This change is being made pursuant to requirement of the IRS pursuant to the receipt of the determination letter received in December of 2015. Comment by 5/25/16.

NOTICE OF ADOPTION OF TEMPORARY RULE

IDAPA 24 - BUREAU OF OCCUPATIONAL LICENSES

24-1801-1601, Rules of the Real Estate Appraiser Board (temporary rule effective 4-1-16)

NOTICES OF INTENT TO PROMULGATE - NEGOTIATED RULEMAKINGS

IDAPA 07 - DIVISION OF BUILDING SAFETY

07-0106-1601, Rules Governing the Use of National Electrical Code (Mtg scheduled 7/21/16)

IDAPA 08 - STATE BOARD OF AND STATE DEPARTMENT OF EDUCATION

08-0202-1605, Rules Governing Uniformity (No scheduled meeting - contact agency for info)

IDAPA 10 - BOARD OF PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS

10-0101-1601, Rules of Procedure (Mtg scheduled 6/8/16)

10-0101-1602, Rules of Procedure (Mtg scheduled 6/8/16)

10-0102-1601, Rules of Professional Responsibility (Mtg scheduled 6/8/16)

IDAPA 12 - DEPARTMENT OF FINANCE

12-0108-1601, Rules Pursuant to the Uniform Securities Act (2004) (No scheduled meeting - contact agency for info)

IDAPA 16 - DEPARTMENT OF HEALTH AND WELFARE

16-0319-1601, Rules Governing Certified Family Homes. (Multiple meetings scheduled - see Bulletin for info)

16-0322-1601, Residential Care or Assisted Living Facilities in Idaho (Multiple meetings scheduled - see Bulletin for info)

16-0417-1601, Rules Governing Residential Habilitation Agencies (Multiple meetings scheduled - see Bulletin for info)

IDAPA 20 - IDAHO DEPARTMENT OF LANDS

20-0702-1601, Rules Governing Conservation of Oil and Natural Gas in the State of Idaho (Mtg scheduled 5/18/16)

IDAPA 35 - IDAHO STATE TAX COMMISSION

35-0102-1601, Idaho Sales and Use Tax Administrative Rules (Mtg scheduled 5/19/16)

35-0103-1602, Property Tax Administrative Rules (No scheduled meeting - contact agency for info)

35-0105-1602, Idaho Motor Fuel Tax Administrative Rules (No scheduled meeting - contact agency for info)

35-0110-1601, Idaho Cigarette and Tobacco Products Tax Administrative Rules (Mtg scheduled 5/19/16)

IDAPA 39 - IDAHO TRANSPORTATION DEPARTMENT

39-0300-1601, Omnibus Notice for Vehicles and/or Loads That Are Required to Operate Under an Overlegal Permit (Mtg scheduled 5/25/16)

IDAPA 58 - DEPARTMENT OF ENVIRONMENTAL QUALITY

58-0101-1601, Rules for the Control of Air Pollution in Idaho (Multiple meetings scheduled - see Bulletin for info)

Please refer to the Idaho Administrative Bulletin, **May 4, 2016, Volume 16-5**, for the notices and text of all rulemakings, public hearings schedules, information on negotiated rulemakings, executive orders of the Governor, and agency contact information.

Issues of the Idaho Administrative Bulletin can be viewed at adminrules.idaho.gov.

Office of the Administrative Rules Coordinator, Dept. of Administration, PO Box 83720, Boise, ID 83720-0306
Phone: (208) 332-1820; Fax: (208) 332-1896; Email: rulescoordinator@adm.idaho.gov

CUMULATIVE RULEMAKING INDEX OF IDAHO ADMINISTRATIVE RULES

*Office of the Administrative Rules Coordinator
Idaho Department of Administration*

July 1, 1993 -- Present

CUMULATIVE RULEMAKING INDEX OF IDAHO ADMINISTRATIVE RULES

This online index provides a history of all agency rulemakings beginning with the first Administrative Bulletin in July 1993 to the most recent Bulletin publication. It tracks all rulemaking activities on each chapter of rules by the rulemaking docket numbers and includes negotiated, temporary, proposed, pending and final rules, public hearing notices, vacated rulemaking notices, notice of legislative actions taken on rules, and executive orders of the Governor.

ABRIDGED RULEMAKING INDEX OF IDAHO ADMINISTRATIVE RULES (Index of Current Rulemakings)

*Office of the Administrative Rules Coordinator
Idaho Department of Administration*

April 11, 2015 -- May 4, 2016

(eff. PLR) - Final Effective Date Is Pending Legislative Review And Approval

(eff. date)L - Denotes Adoption by Legislative Action

(eff. date)T - Temporary Rule Effective Date

SCR # - denotes the number of a Senate Concurrent Resolution (Legislative Action)

HCR # - denotes the number of a House Concurrent Resolution (Legislative Action)

(This Abridged Index includes rules promulgated before April 11, 2015 that are still in process and all current rulemakings promulgated after March 25, 2016 - Sine Die, 2015 Legislative Session.)

IDAPA 02 -- IDAHO DEPARTMENT OF AGRICULTURE

02.02.14, Rules for Weights and Measures

- 02-0214-1501** Proposed Rulemaking, Bulletin Vol. 15-7
- 02-0214-1501** Adoption of Pending Rule, Bulletin Vol. 15-9 (eff. PLR 2016)
- 02-0214-1501** OAR Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 16-5 (eff. 3-25-16)

02.04.21, Rules Governing the Importation of Animals

- 02-0421-1501** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 15-7
- 02-0421-1501** Proposed Rulemaking, Bulletin Vol. 15-9
- 02-0421-1501** Adoption of Pending Rule, Bulletin Vol. 15-11 (eff. PLR 2016)
- 02-0421-1501** OAR Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 16-5 (eff. 3-25-16)

02.04.29, Rules Governing Trichomoniasis

- 02-0429-1501** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 15-7
- 02-0429-1501** Proposed Rulemaking, Bulletin Vol. 15-9
- 02-0429-1501** Adoption of Pending Rule, Bulletin Vol. 15-11 (eff. PLR 2016)
- 02-0429-1501** OAR Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 16-5 (eff. 3-25-16)

02.06.02, Rules Pertaining to the Idaho Commercial Feed Law

- 02-0602-1501** Proposed Rulemaking, Bulletin Vol. 15-7
- 02-0602-1501** Adoption of Pending Rule, Bulletin Vol. 15-9 (eff. PLR 2016)
- 02-0602-1501** OAR Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 16-5 (eff. 3-25-16)

02.06.12, Rules Pertaining to the Idaho Fertilizer Law

- 02-0612-1501** Proposed Rulemaking, Bulletin Vol. 15-7
- 02-0612-1501** Adoption of Pending Rule, Bulletin Vol. 15-9 (eff. PLR 2016)
- 02-0612-1501** OAR Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 16-5 (eff. 3-25-16)

02.06.22, Noxious Weed Rules

- 02-0622-1501** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 15-7
- 02-0622-1501** Proposed Rulemaking, Bulletin Vol. 15-9
- 02-0622-1501** Adoption of Pending Rule, Bulletin Vol. 15-11 (eff. PLR 2016)
- 02-0622-1501** OAR Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 16-5 (eff. 3-25-16)

02.06.25, Rules Governing the Planting of Beans, other than Phaseolus Species, in Idaho

- 02-0625-1501** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 15-7
- 02-0625-1501** Proposed Rulemaking, Bulletin Vol. 15-9
- 02-0625-1501** Adoption of Pending Rule, Bulletin Vol. 15-11 (eff. PLR 2016)
- 02-0625-1501** OAR Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 16-5 (eff. 3-25-16)

02.06.41, Rules Pertaining to the Idaho Soil and Plant Amendment Act of 2001

- 02-0641-1501** Proposed Rulemaking, Bulletin Vol. 15-7
- 02-0641-1501** Adoption of Pending Rule, Bulletin Vol. 15-9 (eff. PLR 2016)
- 02-0641-1501** OAR Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 16-5 (eff. 3-25-16)

IDAPA 05 -- DEPARTMENT OF JUVENILE CORRECTIONS

05.01.02, Rules and Standards for Secure Juvenile Detention Centers

- 05-0102-1501** Proposed Rulemaking, Bulletin Vol. 15-9
- 05-0102-1501** Adoption of Pending Rule, Bulletin Vol. 15-11 (eff. PLR 2016)
- 05-0102-1501** OAR Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 16-5 (eff. 3-25-16)

05.02.01, Rules for Residential Treatment Providers

- 05-0201-1501** Proposed Rulemaking, Bulletin Vol. 15-9
- 05-0201-1501** Adoption of Pending Rule, Bulletin Vol. 15-11 (eff. PLR 2016)
- 05-0201-1501** OAR Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 16-5 (eff. 3-25-16)

05.02.02, Rules for Staff Secure Providers

- 05-0202-1501** Proposed Rulemaking, Bulletin Vol. 15-9
- 05-0202-1501** Adoption of Pending Rule, Bulletin Vol. 15-11 (eff. PLR 2016)
- 05-0202-1501** OAR Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 16-5 (eff. 3-25-16)

05.02.03, Rules for Reintegration Providers

- 05-0203-1501** Proposed Rulemaking, Bulletin Vol. 15-9
- 05-0203-1501** Adoption of Pending Rule, Bulletin Vol. 15-11 (eff. PLR 2016)
- 05-0203-1501** OAR Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 16-5 (eff. 3-25-16)

IDAPA 06 -- STATE BOARD OF CORRECTION

06.01.02, Rules of Correctional Industries

- 06-0102-1502** Notice of Proclamation of Rulemaking, Bulletin Vol. 15-10 (eff. 11-6-15)
- 06-0102-1502** OAR Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 16-5 (eff. 11-6-15)

IDAPA 07 -- DIVISION OF BUILDING SAFETY

- 07-0800-1500** Notice of Legislative Action Transferring Rulemaking Authority from the Idaho Industrial Commission to the Division of Building Safety for Rules for Minimum Safety Standards and Practices for Logging Operations - Senate Bill No. 1001, Bulletin Vol. 15-7 (eff. 7-1-15)
- 07-0901-1500** Notice of Legislative Action Transferring Rulemaking Authority from the Idaho Industrial Commission to the Division of Building Safety for Rules Concerning Safety and Health for Places of Public Employment - Senate Bill No. 1001, Bulletin Vol. 15-7 (eff. 7-1-15)
- 07-0800-1501** Omnibus Notice of Intent to Promulgate - Negotiated Rulemaking, Bulletin Vol. 15-12 (Rulemaking affects all Chapters under Title 08 - "Idaho Minimum Safety Standards and Practices for Logging")

07.01.06, Rules Governing the Use of National Electrical Code

- 07-0106-1601** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 16-5

07.02.03, Rules Governing Permit Fee Schedule

- 07-0203-1501** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 15-4
- 07-0203-1501** Proposed Rulemaking (Fee Rule), Bulletin Vol. 15-10
- 07-0203-1501** Adoption of Pending Fee Rule, Bulletin Vol. 15-12 (eff. PLR 2016)
- 07-0203-1501** OAR Omnibus Notice of Legislative Action - Approval of Pending Fee Rule by SCR 153, Bulletin Vol. 16-5 (eff. 3-24-16)

07.02.05, Rules Governing Plumbing Safety Licensing

- 07-0205-1501** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 15-4
- 07-0205-1502** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 15-4

07.02.06, Rules Concerning the Idaho State Plumbing Code

- 07-0206-1501** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 15-4
- 07-0206-1601** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 16-4

07.03.01, Rules of Building Safety

- 07-0301-1501** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 15-4

- 07-0301-1501 Proposed Rulemaking, Bulletin Vol. 15-10
- 07-0301-1502 Proposed Rulemaking (Fee Rule), Bulletin Vol. 15-10
- 07-0301-1501 Adoption of Pending Rule, Bulletin Vol. 15-12 (eff. PLR 2016)
- 07-0301-1502 Adoption of Pending Fee Rule, Bulletin Vol. 15-12 (eff. PLR 2016)
- 07-0301-1601 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 16-3
- 07-0301-1501 OAR Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 16-5 (eff. 3-25-16)
- 07-0301-1502 OAR Omnibus Notice of Legislative Action - Approval of Pending Fee Rule by SCR 153, Bulletin Vol. 16-5 (eff. 3-24-16)

07.04.02, Safety Rules for Elevators, Escalators, and Moving Walks

- 07-0402-1501* Adoption of Temporary Fee Rule, Bulletin Vol. 15-6 (eff. 5-1-15)T (*Expires Sine Die 2016)

07.05.01, Rules of the Public Works Contractors License Board

- 07-0501-1501* Adoption of Temporary Fee Rule, Bulletin Vol. 15-10 (eff. 9-1-15)T (*Expires Sine Die 2016)

- 07-0800-1500 Notice of Legislative Action Transferring Rulemaking Authority from the Idaho Industrial Commission to the Division of Building Safety for Rules for Minimum Safety Standards and Practices for Logging Operations - Senate Bill No. 1001
Bulletin Vol. 15-7 (eff. 7-1-15)

- 07-0800-1501 Omnibus Notice of Intent to Promulgate - Negotiated Rulemaking, Bulletin Vol. 15-12
(Rulemaking affects all Chapters under Title 08 - "Idaho Minimum Safety Standards and Practices for Logging")

07.08.01, Idaho Minimum Safety Standards and Practices for Logging - General Provisions

- 07-0800-1500 Notice of Legislative Action Transferring Rulemaking Authority to DBS from IC, Bulletin Vol. 15-7 (eff. 7-1-15)
- 07-0800-1501 Omnibus Notice of Intent to Promulgate - Negotiated Rulemaking, Bulletin Vol. 15-12

07.08.02, Idaho Minimum Safety Standards and Practices for Logging - Health, Safety, and Sanitation

- 07-0800-1500 Notice of Legislative Action Transferring Rulemaking Authority to DBS from IC, Bulletin Vol. 15-7 (eff. 7-1-15)
- 07-0800-1501 Omnibus Notice of Intent to Promulgate - Negotiated Rulemaking, Bulletin Vol. 15-12

07.08.03, Idaho Minimum Safety Standards and Practices for Logging - Explosives and Blasting

- 07-0800-1500 Notice of Legislative Action Transferring Rulemaking Authority to DBS from IC, Bulletin Vol. 15-7 (eff. 7-1-15)
- 07-0800-1501 Omnibus Notice of Intent to Promulgate - Negotiated Rulemaking, Bulletin Vol. 15-12

**07.08.04, Idaho Minimum Safety Standards and Practices for Logging - Garages, Machine Shops,
and Related Work Areas**

- 07-0800-1500 Notice of Legislative Action Transferring Rulemaking Authority to DBS from IC, Bulletin Vol. 15-7 (eff. 7-1-15)
- 07-0800-1501 Omnibus Notice of Intent to Promulgate - Negotiated Rulemaking, Bulletin Vol. 15-12

07.08.05, Idaho Minimum Safety Standards and Practices for Logging - Signals and Signal Systems

- 07-0800-1500 Notice of Legislative Action Transferring Rulemaking Authority to DBS from IC, Bulletin Vol. 15-7 (eff. 7-1-15)
- 07-0800-1501 Omnibus Notice of Intent to Promulgate - Negotiated Rulemaking, Bulletin Vol. 15-12

07.08.06, Idaho Minimum Safety Standards and Practices for Logging - Truck Road Standards

- 07-0800-1500 Notice of Legislative Action Transferring Rulemaking Authority to DBS from IC, Bulletin Vol. 15-7 (eff. 7-1-15)
- 07-0800-1501 Omnibus Notice of Intent to Promulgate - Negotiated Rulemaking, Bulletin Vol. 15-12

07.08.07, Idaho Minimum Safety Standards and Practices for Logging - Transportation of Employees

- 07-0800-1500 Notice of Legislative Action Transferring Rulemaking Authority to DBS from IC, Bulletin Vol. 15-7 (eff. 7-1-15)
- 07-0800-1501 Omnibus Notice of Intent to Promulgate - Negotiated Rulemaking, Bulletin Vol. 15-12

07.08.08, Idaho Minimum Safety Standards and Practices for Logging - Falling and Bucking

- 07-0800-1500 Notice of Legislative Action Transferring Rulemaking Authority to DBS from IC, Bulletin Vol. 15-7 (eff. 7-1-15)
- 07-0800-1501 Omnibus Notice of Intent to Promulgate - Negotiated Rulemaking, Bulletin Vol. 15-12

07.08.09, Idaho Minimum Safety Standards and Practices for Logging - Rigging, Lines, Blocks, and Shackles

- 07-0800-1500 Notice of Legislative Action Transferring Rulemaking Authority to DBS from IC, Bulletin Vol. 15-7 (eff. 7-1-15)

07-0800-1501 Omnibus Notice of Intent to Promulgate - Negotiated Rulemaking, Bulletin Vol. 15-12

07.08.10, Idaho Minimum Safety Standards and Practices for Logging - Canopy and Canopy Construction for Logging Equipment

07-0800-1500 Notice of Legislative Action Transferring Rulemaking Authority to DBS from IC, Bulletin Vol. 15-7 (eff. 7-1-15)

07-0800-1501 Omnibus Notice of Intent to Promulgate - Negotiated Rulemaking, Bulletin Vol. 15-12

07.08.11, Idaho Minimum Safety Standards and Practices for Logging - Skidding and Yarding

07-0800-1500 Notice of Legislative Action Transferring Rulemaking Authority to DBS from IC, Bulletin Vol. 15-7 (eff. 7-1-15)

07-0800-1501 Omnibus Notice of Intent to Promulgate - Negotiated Rulemaking, Bulletin Vol. 15-12

07.08.12, Idaho Minimum Safety Standards and Practices for Logging - Road Transportation

07-0800-1500 Notice of Legislative Action Transferring Rulemaking Authority to DBS from IC, Bulletin Vol. 15-7 (eff. 7-1-15)

07-0800-1501 Omnibus Notice of Intent to Promulgate - Negotiated Rulemaking, Bulletin Vol. 15-12

07.08.13, Idaho Minimum Safety Standards and Practices for Logging - Log Dumps, Landing, Log Handling Equipment, Loading and Unloading Booms, Log Ponds, Rafting, Towing, Stiff Booms, Boom Sticks and Foot Logs, Pond Boats and Tow Boats and Trailer Loading Hoists

07-0800-1500 Notice of Legislative Action Transferring Rulemaking Authority to DBS from IC, Bulletin Vol. 15-7 (eff. 7-1-15)

07-0800-1501 Omnibus Notice of Intent to Promulgate - Negotiated Rulemaking, Bulletin Vol. 15-12

07.08.14, Idaho Minimum Safety Standards and Practices for Logging - Helicopter Logging

07-0800-1500 Notice of Legislative Action Transferring Rulemaking Authority to DBS from IC, Bulletin Vol. 15-7 (eff. 7-1-15)

07-0800-1501 Omnibus Notice of Intent to Promulgate - Negotiated Rulemaking, Bulletin Vol. 15-12

07.08.15, Idaho Minimum Safety Standards and Practices for Logging - Commonly Used Logging Terms

07-0800-1500 Notice of Legislative Action Transferring Rulemaking Authority to DBS from IC, Bulletin Vol. 15-7 (eff. 7-1-15)

07-0800-1501 Omnibus Notice of Intent to Promulgate - Negotiated Rulemaking, Bulletin Vol. 15-12

07.08.16, Idaho Minimum Safety Standards and Practices for Logging - Recommended Safety Program

07-0800-1500 Notice of Legislative Action Transferring Rulemaking Authority to DBS from IC, Bulletin Vol. 15-7 (eff. 7-1-15)

07-0800-1501 Omnibus Notice of Intent to Promulgate - Negotiated Rulemaking, Bulletin Vol. 15-12

07-0901-1500 Notice of Legislative Action Transferring Rulemaking Authority from the Idaho Industrial Commission to the Division of Building Safety for Rules Concerning Safety and Health for Places of Public Employment - Senate Bill No. 1001
Bulletin Vol. 15-7 (eff. 7-1-15)

07.09.01, Safety and Health Rules for Places of Public Employment

07-0901-1500 Notice of Legislative Action Transferring Rulemaking Authority from the Idaho Industrial Commission to DBS,
Bulletin Vol. 15-7 (eff. 7-1-15)

***IDAPA 08 -- IDAHO STATE BOARD OF EDUCATION
AND STATE DEPARTMENT OF EDUCATION***

08.01.09, Rules Governing the GEAR UP Idaho Scholarship Program

08-0109-1501 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 15-6

08-0109-1501 Proposed Rulemaking, Bulletin Vol. 15-10

08-0109-1501 Adoption of Pending Rule, Bulletin Vol. 16-1 (eff. PLR 2016)

08-0109-1501 OAR Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 16-5 (eff. 3-25-16)

08.01.13, Rules Governing the Idaho Opportunity Scholarship Program

08-0113-1501 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 15-6

- 08-0113-1501 Proposed Rulemaking, Bulletin Vol. 15-10
- 08-0113-1501 Adoption of Pending Rule, Bulletin Vol. 16-1 (eff. PLR 2016)
- 08-0113-1501 Notice of Final Rule - Agency Filing - Partial Rejection of Pending Rule by HCR 45, Bulletin Vol. 16-5 (eff. 3-9-16)
- 08-0113-1501 OAR Omnibus Notice of Legislative Action - Partial Rejection of Pending Rule by HCR 45, Bulletin Vol. 16-5 (eff. 3-9-16)

08.02.01, Rules Governing Administration

- 08-0201-1501 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 15-6
- 08-0201-1502 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 15-9
- 08-0201-1501 Proposed Rulemaking, Bulletin Vol. 15-10
- 08-0201-1502 Proposed Rulemaking, Bulletin Vol. 15-11
- 08-0201-1501 Adoption of Pending Rule, Bulletin Vol. 16-1 (eff. PLR 2016)
- 08-0201-1502 Adoption of Pending Rule, Bulletin Vol. 16-1 (eff. PLR 2016)
- 08-0201-1501 OAR Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 16-5 (eff. 3-25-16)
- 08-0201-1502 OAR Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 16-5 (eff. 3-25-16)

08.02.02, Rules Governing Uniformity

- 08-0202-1501 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 15-6
- 08-0202-1502* *Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 15-6 (*Rulemaking Terminated)*
- 08-0202-1503* *Notice of Adoption of Temporary Rule, Bulletin Vol. 15-7 (eff. 5-20-15)T (*Expires Sine Die 2016)*
- 08-0202-1501 Proposed Rulemaking, Bulletin Vol. 15-10
- 08-0202-1504 Proposed Rulemaking, Bulletin Vol. 15-10
- 08-0202-1501 Adoption of Pending Rule, Bulletin Vol. 16-1 (eff. PLR 2016)
- 08-0202-1504 Adoption of Pending Rule, Bulletin Vol. 16-1 (eff. PLR 2016)
- 08-0202-1601 Adoption of Temporary Rule, Bulletin Vol. 16-4 (eff. 2-18-16)T
- 08-0202-1602 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 16-4
- 08-0202-1603 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 16-4
- 08-0202-1604 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 16-4
- 08-0202-1501 OAR Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 16-5 (eff. 3-25-16)
- 08-0202-1504 OAR Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 16-5 (eff. 3-25-16)
- 08-0202-1605 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 16-5

08.02.03, Rules Governing Thoroughness

- 08-0203-1501 Adoption of Temporary Rule, Bulletin Vol. 15-2 (eff. 1-22-15)T
- 08-0203-1502* *Adoption of Temporary Rule, Bulletin Vol. 15-4 (eff. 2-19-15)T (*Expires Sine Die 2016)*
- 08-0203-1503 Proposed Rulemaking, Bulletin Vol. 15-6
- 08-0203-1504* *Temporary and Proposed Rulemaking, Bulletin Vol. 15-6 (4-16-15)T (*Temporary rule expires Sine Die 2016)*
- 08-0203-1505 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 15-6
- 08-0203-1506 Proposed Rulemaking, Bulletin Vol. 15-8
- 08-0203-1507 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 15-9
- 08-0203-1505 Proposed Rulemaking, Bulletin Vol. 15-10
- 08-0203-1506 Notice of Public Hearing, Bulletin Vol. 15-10
- 08-0203-1508 Temporary and Proposed Rulemaking, Bulletin Vol. 15-10 (8-13-15)T
- 08-0203-1509 Proposed Rulemaking, Bulletin Vol. 15-10
- 08-0203-1510 Proposed Rulemaking, Bulletin Vol. 15-10
- 08-0203-1511 Proposed Rulemaking, Bulletin Vol. 15-10
- 08-0203-1512* *Adoption of Temporary Rule, Bulletin Vol. 15-10 (eff. 9-3-15)T (*Expires Sine Die 2016)*
- 08-0203-1501 Notice of Rescission of Temporary Rule, Bulletin Vol. 15-11 (Rescission effective 8-13-15)
- 08-0203-1507 Proposed Rulemaking, Bulletin Vol. 15-11
- 08-0203-1503 Adoption of Pending Rule, Bulletin Vol. 16-1 (eff. PLR 2016)
- 08-0203-1505 Adoption of Pending Rule, Bulletin Vol. 16-1 (eff. PLR 2016)
- 08-0203-1506 Adoption of Pending Rule, Bulletin Vol. 16-1 (eff. PLR 2016)
- 08-0203-1507 Adoption of Pending Rule, Bulletin Vol. 16-1 (eff. PLR 2016)
- 08-0203-1508 Adoption of Pending Rule, Bulletin Vol. 16-1 (eff. PLR 2016)
- 08-0203-1509 Adoption of Pending Rule, Bulletin Vol. 16-1 (eff. PLR 2016)
- 08-0203-1510 Adoption of Pending Rule, Bulletin Vol. 16-1 (eff. PLR 2016)
- 08-0203-1511 Adoption of Pending Rule, Bulletin Vol. 16-1 (eff. PLR 2016)
- 08-0203-1601 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 16-4

- 08-0203-1602** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 16-4
- 08-0203-1603** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 16-4
- 08-0203-1604** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 16-4
- 08-0203-1605** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 16-4
- 08-0203-1503** OAR Omnibus Notice of Legislative Action - Rejection of Pending Rule by SCR 139, Bulletin Vol. 16-5 (Null and Void)
- 08-0203-1505** OAR Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 16-5 (eff. 3-25-16)
- 08-0203-1506** OAR Omnibus Notice of Legislative Action - Rejection of Pending Rule by SCR 140, Bulletin Vol. 16-5 (Null and Void)
- 08-0203-1507** OAR Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 16-5 (eff. 3-25-16)
- 08-0203-1508** OAR Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 16-5 (eff. 3-25-16)
- 08-0203-1509** OAR Omnibus Notice of Legislative Action - Rejection of Pending Rule by HCR 44, Bulletin Vol. 16-5 (Null and Void)
- 08-0203-1510** OAR Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 16-5 (eff. 3-25-16)
- 08-0203-1511** OAR Omnibus Notice of Legislative Action - Rejection of Pending Rule by SCR 141, Bulletin Vol. 16-5 (Null and Void)

08.05.01, Rules Governing Seed and Plant Certification - Regents of the University of Idaho

- 08-0501-1501** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 15-6
- 08-0501-1502*** *Notice of Adoption of Temporary Rule, Bulletin Vol. 15-7 (eff. 5-20-15)T (*Expires Sine Die 2016)*
- 08-0501-1501** Proposed Rulemaking, Bulletin Vol. 15-10
- 08-0501-1501** Adoption of Pending Rule, Bulletin Vol. 16-1 (eff. PLR 2016)
- 08-0501-1501** OAR Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 16-5 (eff. 3-25-16)

IDAPA 09 -- IDAHO DEPARTMENT OF LABOR

09.01.06, Rules of the Appeals Bureau

- 09-0106-1501** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 15-7
- 09-0106-1501** Proposed Rulemaking, Bulletin Vol. 15-9
- 09-0106-1501** Adoption of Pending Rule, Bulletin Vol. 15-11 (eff. PLR 2016)
- 09-0106-1501** OAR Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 16-5 (eff. 3-25-16)

09.01.30, Unemployment Insurance Benefits Administration Rules

- 09-0130-1501** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 15-9
- 09-0130-1501** Proposed Rulemaking, Bulletin Vol. 15-11
- 09-0130-1501** Adoption of Pending Rule, Bulletin Vol. 16-1 (eff. PLR 2016)
- 09-0130-1501** OAR Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 16-5 (eff. 3-25-16)

***IDAPA 10 -- IDAHO BOARD OF LICENSURE OF PROFESSIONAL ENGINEERS
AND PROFESSIONAL LAND SURVEYORS***

10.01.01, Rules of Procedure

- 10-0101-1501** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 15-6
- 10-0101-1502*** *Adoption of Temporary Rule, Bulletin Vol. 15-6 (eff. 7-1-15)T (*Expires Sine Die 2016)*
- 10-0101-1501** Proposed Rulemaking, Bulletin Vol. 15-9
- 10-0101-1501** Adoption of Pending Rule, Bulletin Vol. 15-11 (eff. PLR 2016)
- 10-0101-1501** OAR Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 16-5 (eff. 3-25-16)
- 10-0101-1601** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 16-5
- 10-0101-1602** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 16-5

10.01.02, Rules of Professional Responsibility

- 10-0102-1501*** *Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 15-6 (*Rulemaking Terminated)*
- 10-0102-1601** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 16-5

10.01.04, Rules of Continuing Professional Development

- 10-0104-1501** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 15-6
- 10-0104-1501** Proposed Rulemaking, Bulletin Vol. 15-9
- 10-0104-1501** Adoption of Pending Rule, Bulletin Vol. 15-11 (eff. PLR 2016)

10-0104-1501 OAR Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 16-5 (eff. 3-25-16)

IDAPA 11 -- IDAHO STATE POLICE

Idaho State Racing Commission

11.04.02, Rules Governing Simulcasting

- 11-0402-1501** Temporary and Proposed Rulemaking, Bulletin Vol. 15-8 (eff. 7-29-15)T
- 11-0402-1501** Notice of Rescission of Temporary and Vacation of Proposed Rulemaking, Bulletin Vol. 16-1 (Res. eff. 12-14-15)

11.04.06, Rules Governing Racing Officials

- 11-0405-1501** Temporary and Proposed Rulemaking, Bulletin Vol. 15-8 (eff. 7-29-15)T
- 11-0406-1501** Adoption of Pending Rule, Bulletin Vol. 16-1 (eff. PLR 2016)
- 11-0406-1501** OAR Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 16-5 (eff. 3-25-16)

11.04.11, Rules Governing Equine Veterinary Practices, Permitted Medications, Banned Substances and Drug Testing of Horses

- 11-0411-1501** Temporary and Proposed Rulemaking, Bulletin Vol. 15-8 (eff. 7-29-15)T
- 11-0411-1502** Proposed Rulemaking, Bulletin Vol. 15-10
- 11-0411-1501** Adoption of Pending Rule, Bulletin Vol. 16-1 (eff. PLR 2016)
- 11-0411-1502** Adoption of Pending Rule, Bulletin Vol. 16-1 (eff. PLR 2016)
- 11-0411-1501** OAR Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 16-5 (eff. 3-25-16)
- 11-0411-1502** OAR Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 16-5 (eff. 3-25-16)

Alcohol Beverage Control Bureau

11.05.01, Rules Governing Alcohol Beverage Control

- 11-0501-1401** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 14-10
- 11-0501-1401** Proposed Rulemaking, Bulletin Vol. 15-9
- 11-0501-1501** Proposed Rulemaking (Fee Rule), Bulletin Vol. 15-10
- 11-0501-1401** Adoption of Pending Rule, Bulletin Vol. 16-1 (eff. PLR 2016)
- 11-0501-1501** Adoption of Pending Rule, Bulletin Vol. 16-1 (eff. PLR 2016)
- 11-0501-1401** OAR Omnibus Notice of Legislative Action - Rejection of Pending Rule by HCR 40, Bulletin Vol. 16-5 (Null & Void)
- 11-0501-1501** OAR Omnibus Notice of Legislative Action - Rejection of Pending Fee Rule by SCR 153, Bulletin Vol. 16-5 (Null & Void)

Public Safety And Security Information Bureau

11.10.03, Rules Governing the Sex Offender Registry

- 11-1003-1501** Temporary and Proposed Rulemaking, Bulletin Vol. 15-10 (eff. 9-1-15)T
- 11-1003-1501** Adoption of Pending Rule, Bulletin Vol. 16-1 (eff. PLR 2016)
- 11-1003-1501** OAR Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 16-5 (eff. 3-25-16)

Peace Officer Standards and Training (Post) Council

11.11.01, Rules of the Idaho Peace Officer Standards and Training Council

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- 11-1101-1501** Adoption of Pending Rule, Bulletin Vol. 16-1 (eff. PLR 2016)
- 11-1101-1501** OAR Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 16-5 (eff. 3-25-16)

11.11.04, Rules of the Idaho POST Council for Correctional Officers and Adult Probation and Parole Officers

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- 11-1104-1501** Adoption of Pending Rule, Bulletin Vol. 16-1 (eff. PLR 2016)
- 11-1104-1501** OAR Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 16-5 (eff. 3-25-16)

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- 11-1301-1501** Adoption of Pending Rule, Bulletin Vol. 16-1 (eff. PLR 2016)
- 11-1301-1501** OAR Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 16-5 (eff. 3-25-16)

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- 12-0110-1501** Adoption of Pending Rule, Bulletin Vol. 16-1 (eff. PLR 2016)
- 12-0110-1501** OAR Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 16-5 (eff. 3-25-16)

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- 13-0102-1501** Adoption of Pending Rule, Bulletin Vol. 16-1 (eff. PLR 2016)
- 13-0102-1501** OAR Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 16-5 (eff. 3-25-16)

13.01.08, Rules Governing the Taking of Big Game Animals in the State of Idaho

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- 13-0108-1502** Adoption of Pending Rule, Bulletin Vol. 16-1 (eff. PLR 2016)
- 13-0108-1501** OAR Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 16-5 (eff. 3-25-16)
- 13-0108-1502** OAR Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 16-5 (eff. 3-25-16)

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- 13-0109-1501** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 15-2
- 13-0109-1501** Temporary and Proposed Rulemaking, Bulletin Vol. 15-10 (eff. 8-28-15)T
- 13-0109-1502** Proposed Rulemaking, Bulletin Vol. 15-10
- 13-0109-1501** Adoption of Pending Rule, Bulletin Vol. 16-1 (eff. PLR 2016)
- 13-0109-1502** Adoption of Pending Rule, Bulletin Vol. 16-1 (eff. PLR 2016)
- 13-0109-1501** OAR Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 16-5 (eff. 3-25-16)
- 13-0109-1502** OAR Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 16-5 (eff. 3-25-16)

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- 13-0111-1501** Adoption of Pending Rule, Bulletin Vol. 16-1 (eff. PLR 2016)
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- 13-0116-1501** OAR Omnibus Notice of Legislative Action - Rejection of Pending Rule by HCR 55, Bulletin Vol. 16-5 (Null and Void)

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- 13-0117-1501** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 15-7
- 13-0117-1501** Proposed Rulemaking, Bulletin Vol. 15-10
- 13-0117-1501** Adoption of Pending Rule, Bulletin Vol. 16-1 (eff. PLR 2016)
- 13-0117-1501** OAR Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 16-5 (eff. 3-25-16)

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- 14-0101-1501** OAR Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 16-5 (eff. 3-25-16)
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- 16-0102-1501** OAR Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 16-5 (eff. 7-1-16)

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- 16-0103-1501** Adoption of Pending Rule, Bulletin Vol. 16-1 (eff. PLR 2016)
- 16-0103-1501** OAR Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 16-5 (eff. 7-1-16)

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- 16-0105-1501** Notice of Intent to Promulgate Rules - Negotiated Rulemaking (New Chapter), Bulletin Vol. 15-3
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16.01.07, Emergency Medical Services (EMS) -- Personnel Licensing Requirements

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- 16-0107-1502** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 15-4
- 16-0107-1501** OAR Omnibus Notice of Legislative Action - Extension of Temporary Rule by SCR 127, Bulletin Vol. 15-5 (eff. 1-1-15)T
- 16-0107-1502** (Second) Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 15-5
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- 16-0201-1401** Notice of Adoption of Temporary Rule (New Chapter - Fee Rule), Bulletin Vol. 15-2 (eff. 1-1-15)T
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- 16-0202-1501** OAR Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 16-5 (eff. 7-1-16)

16.02.03, Emergency Medical Services

- 16-0203-1501** Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 15-8
- 16-0203-1501** Adoption of Pending Rule (Repeal), Bulletin Vol. 16-1 (eff. PLR 2016)
- 16-0203-1501** OAR Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 16-5 (eff. 7-1-16)

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- 16-0219-1501** Proposed Rulemaking, Bulletin Vol. 15-9

- 16-0219-1501 Adoption of Pending Rule, Bulletin Vol. 16-1 (eff. PLR 2016)
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- 16-0304-1501 OAR Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 16-5 (eff. 7-1-16)

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- 16-0309-1501 OAR Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 16-5 (eff. 7-1-16)
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- 16-0310-1501 OAR Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 16-5 (eff. 7-1-16)

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- 16-0313-1501 Adoption of Pending Rule, Bulletin Vol. 16-1 (eff. PLR 2016)
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- 16-0316-1501 OAR Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 16-5 (eff. 3-25-16)

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- 16-0402-1501 Proposed Rulemaking, Bulletin Vol. 15-10
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- 16-0402-1501 OAR Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 16-5 (eff. 3-25-16)

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- 16-0413-1501 Proposed Rulemaking, Bulletin Vol. 15-10
- 16-0413-1501 Adoption of Pending Rule, Bulletin Vol. 16-1 (eff. PLR 2016)
- 16-0413-1501 OAR Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 16-5 (eff. 3-25-16)

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- 16-0414-1501 Adoption of Pending Rule, Bulletin Vol. 16-1 (eff. PLR 2016)
- 16-0414-1501 OAR Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 16-5 (eff. 3-25-16)

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- 16-0416-1501 Adoption of Pending Rule, Bulletin Vol. 16-1 (eff. PLR 2016)
- 16-0416-1501 OAR Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 16-5 (eff. 3-25-16)

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16-0720-1501 OAR Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 16-5 (eff. 7-1-16)

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17-1001-1500 Notice of Legislative Action Transferring Rulemaking Authority from the Idaho Industrial Commission to the Division of Building Safety for Rules Concerning Safety and Health for Places of Public Employment - Senate Bill No. 1001
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- 17-0209-1501 *Adoption of Temporary Rule, Bulletin Vol. 15-1 (eff. 1-1-15)T (Expired July 1, 2015)*
- 17-0209-1501 OAR Omnibus Notice of Legislative Action - Extension of Temporary Rule by SCR 127, Bulletin Vol. 15-5 (eff. 1-1-15)T
- 17-0209-1502 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 15-5
- 17-0209-1503 Adoption of Temporary Rule, Bulletin Vol. 15-7 (eff. 7-1-15)T (Expires 7-1-16)
- 17-0209-1502 Proposed Rulemaking, Bulletin Vol. 15-10
- 17-0209-1502 Adoption of Pending Rule, Bulletin Vol. 16-1 (eff. PLR 2016)
- 17-0209-1502 OAR Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 16-5 (eff. 7-1-16)
- 17-0209-1503 OAR Omnibus Notice of Legislative Action - Extension of Temporary Rule by SCR 154, Bulletin Vol. 16-5 (eff. 7-1-15)T

**17.02.10, Administrative Rules of the Industrial Commission Under the Workers' Compensation Law --
Security for Compensation -- Insurance Carriers**

- 17-0210-1501 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 15-5
- 17-0210-1501 Proposed Rulemaking, Bulletin Vol. 15-10
- 17-0210-1501 Adoption of Pending Rule, Bulletin Vol. 16-1 (eff. PLR 2016)
- 17-0210-1501 OAR Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 16-5 (eff. 3-25-16)

**17.02.11, Administrative Rules of the Industrial Commission Under the Workers' Compensation Law --
Security for Compensation -- Self-Insured Employers**

- 17-0211-1501 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 15-5
- 17-0211-1501 Proposed Rulemaking, Bulletin Vol. 15-10
- 17-0211-1501 Adoption of Pending Rule, Bulletin Vol. 16-1 (eff. PLR 2016)
- 17-0211-1501 OAR Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 16-5 (eff. 3-25-16)

- 17-0800-1500 Notice of Legislative Action Transferring Rulemaking Authority from the Idaho Industrial Commission to the Division of Building Safety for Rules for Minimum Safety Standards and Practices for Logging Operations - Senate Bill No. 1001 Bulletin Vol. 15-7 (eff. 7-1-15)

(Rule Transferred to IDAPA 07.08.01)

17.08.01, Idaho Minimum Safety Standards and Practices for Logging - General Provisions

- 17-0800-1500 *Notice of Legislative Action Transferring Rulemaking Authority to DBS from IC, Bulletin Vol. 15-7 (eff. 7-1-15)*

(Rule Transferred to IDAPA 07.08.02)

17.08.02, Idaho Minimum Safety Standards and Practices for Logging - Health, Safety, and Sanitation

- 17-0800-1500 *Notice of Legislative Action Transferring Rulemaking Authority to DBS from IC, Bulletin Vol. 15-7 (eff. 7-1-15)*

(Rule Transferred to IDAPA 07.08.03)

17.08.03, Idaho Minimum Safety Standards and Practices for Logging - Explosives and Blasting

- 17-0800-1500 *Notice of Legislative Action Transferring Rulemaking Authority to DBS from IC, Bulletin Vol. 15-7 (eff. 7-1-15)*

(Rule Transferred to IDAPA 07.08.04)

**17.08.04, Idaho Minimum Safety Standards and Practices for Logging - Garages, Machine Shops,
and Related Work Areas**

- 17-0800-1500 *Notice of Legislative Action Transferring Rulemaking Authority to DBS from IC, Bulletin Vol. 15-7 (eff. 7-1-15)*

(Rule Transferred to IDAPA 07.08.05)

17.08.05, Idaho Minimum Safety Standards and Practices for Logging - Signals and Signal Systems

- 17-0800-1500 *Notice of Legislative Action Transferring Rulemaking Authority to DBS from IC, Bulletin Vol. 15-7 (eff. 7-1-15)*

(Rule Transferred to IDAPA 07.08.06)

17.08.06, Idaho Minimum Safety Standards and Practices for Logging - Truck Road Standards
17-0800-1500 Notice of Legislative Action Transferring Rulemaking Authority to DBS from IC, Bulletin Vol. 15-7 (eff. 7-1-15)

(Rule Transferred to IDAPA 07.08.07)

17.08.07, Idaho Minimum Safety Standards and Practices for Logging - Transportation of Employees
17-0800-1500 Notice of Legislative Action Transferring Rulemaking Authority to DBS from IC, Bulletin Vol. 15-7 (eff. 7-1-15)

(Rule Transferred to IDAPA 07.08.08)

17.08.08, Idaho Minimum Safety Standards and Practices for Logging - Falling and Bucking
17-0800-1500 Notice of Legislative Action Transferring Rulemaking Authority to DBS from IC, Bulletin Vol. 15-7 (eff. 7-1-15)

(Rule Transferred to IDAPA 07.08.09)

17.08.09, Idaho Minimum Safety Standards and Practices for Logging - Rigging, Lines, Blocks, and Shackles
17-0800-1500 Notice of Legislative Action Transferring Rulemaking Authority to DBS from IC, Bulletin Vol. 15-7 (eff. 7-1-15)

(Rule Transferred to IDAPA 07.08.10)

*17.08.10, Idaho Minimum Safety Standards and Practices for Logging - Canopy and Canopy Construction
for Logging Equipment*
17-0800-1500 Notice of Legislative Action Transferring Rulemaking Authority to DBS from IC, Bulletin Vol. 15-7 (eff. 7-1-15)

(Rule Transferred to IDAPA 07.08.11)

17.08.11, Idaho Minimum Safety Standards and Practices for Logging - Skidding and Yarding
17-0800-1500 Notice of Legislative Action Transferring Rulemaking Authority to DBS from IC, Bulletin Vol. 15-7 (eff. 7-1-15)

(Rule Transferred to IDAPA 07.08.12)

17.08.12, Idaho Minimum Safety Standards and Practices for Logging - Road Transportation
17-0800-1500 Notice of Legislative Action Transferring Rulemaking Authority to DBS from IC, Bulletin Vol. 15-7 (eff. 7-1-15)

(Rule Transferred to IDAPA 07.08.13)

*17.08.13, Idaho Minimum Safety Standards and Practices for Logging - Log Dumps, Landing, Log Handling
Equipment, Loading and Unloading Booms, Log Ponds, Rafting, Towing, Stiff Booms, Boom Sticks and
Foot Logs, Pond Boats and Tow Boats and Trailer Loading Hoists*
17-0800-1500 Notice of Legislative Action Transferring Rulemaking Authority to DBS from IC, Bulletin Vol. 15-7 (eff. 7-1-15)

(Rule Transferred to IDAPA 07.08.14)

17.08.14, Idaho Minimum Safety Standards and Practices for Logging - Helicopter Logging
17-0800-1500 Notice of Legislative Action Transferring Rulemaking Authority to DBS from IC, Bulletin Vol. 15-7 (eff. 7-1-15)

(Rule Transferred to IDAPA 07.08.15)

17.08.15, Idaho Minimum Safety Standards and Practices for Logging - Commonly Used Logging Terms
17-0800-1500 Notice of Legislative Action Transferring Rulemaking Authority to DBS from IC, Bulletin Vol. 15-7 (eff. 7-1-15)

(Rule Transferred to IDAPA 07.08.16)

17.08.16, Idaho Minimum Safety Standards and Practices for Logging - Recommended Safety Program
17-0800-1500 Notice of Legislative Action Transferring Rulemaking Authority to DBS from IC, Bulletin Vol. 15-7 (eff. 7-1-15)

*17-1001-1500 Notice of Legislative Action Transferring Rulemaking Authority from the Idaho Industrial Commission to the Division of
Building Safety for Rules Concerning Safety and Health for Places of Public Employment - Senate Bill No. 1001
Bulletin Vol. 15-7 (eff. 7-1-15)*

(Rule Transferred to IDAPA 07.09.01)

17.10.01, Safety and Health Rules for Places of Public Employment

*17-1001-1500 Notice of Legislative Action Transferring Rulemaking Authority from the Idaho Industrial Commission to DBS,
Bulletin Vol. 15-7 (eff. 7-1-15)*

IDAPA 18 -- DEPARTMENT OF INSURANCE

18.01.27, Self-Funded Employee Health Care Plans Rule

- 18-0127-1501** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 15-7
- 18-0127-1501** Proposed Rulemaking, Bulletin Vol. 15-9
- 18-0127-1501** Adoption of Pending Rule, Bulletin Vol. 15-11 (eff. PLR 2016)
- 18-0127-1501** OAR Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 16-5 (eff. 3-25-16)

18.01.44, Schedule of Fees, Licenses, and Miscellaneous Charges

- 18-0144-1501** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 15-7
- 18-0144-1501** Proposed Rulemaking (Fee Rule), Bulletin Vol. 15-9
- 18-0144-1501** Adoption of Pending Fee Rule, Bulletin Vol. 15-11 (eff. PLR 2016)
- 18-0144-1501** OAR Omnibus Notice of Legislative Action - Approval of Pending Fee Rule by SCR 153, Bulletin Vol. 16-5 (eff. 3-24-16)

18.01.60, Long-Term Care Insurance Minimum Standards

- 18-0160-1501** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 15-7
- 18-0160-1501** Proposed Rulemaking, Bulletin Vol. 15-9
- 18-0160-1501** Adoption of Pending Rule, Bulletin Vol. 15-11 (eff. PLR 2016)
- 18-0160-1501** OAR Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 16-5 (eff. 3-25-16)

IDAPA 20 -- DEPARTMENT OF LANDS

20.03.16, Rules Governing Oil and Gas Leasing on Idaho State Lands

- 20-0316-1401*** *Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 14-7
(Negotiations have stopped and no further rulemaking action will be taken under this docket number. Effective 3-25-16)

20.07.01, Rules of Practice and Procedure Before the Idaho Oil And Gas Conservation Commission

- 20-0701-1501*** *Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 15-6 (*Rulemaking Terminated)*

20.07.02, Rules Governing Conservation of Crude Oil and Natural Gas in the State of Idaho

- 20-0702-1601** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 16-5

IDAPA 22 -- BOARD OF MEDICINE

22.01.01, Rules of the Board of Medicine for Licensure to Practice Medicine and Surgery and Osteopathic Medicine and Surgery in Idaho

- 22-0101-1501** Proposed Rulemaking, Bulletin Vol. 15-9
- 22-0101-1501** Adoption of Pending Rule, Bulletin Vol. 16-1 (eff. PLR 2016)
- 22-0101-1501** OAR Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 16-5 (eff. 3-25-16)

22.01.15, Rules Relating to Telehealth Services

- 22-0115-1501** Proposed Rulemaking (New Chapter), Bulletin Vol. 15-9
- 22-0115-1501** Adoption of Pending Rule, Bulletin Vol. 16-1 (eff. PLR 2016)
- 22-0115-1501** OAR Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 16-5 (eff. 3-25-16)

IDAPA 23 -- BOARD OF NURSING

23.01.01, Rules of the Idaho Board of Nursing

- [23-0101-1501](#) Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 15-6
- [23-0101-1502*](#) *Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 15-6 (*Rulemaking Terminated)*
- [23-0101-1503](#) Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 15-6
- [23-0101-1501](#) Proposed Rulemaking, Bulletin Vol. 15-10
- [23-0101-1503](#) Proposed Rulemaking, Bulletin Vol. 15-10
- [23-0101-1501](#) Adoption of Pending Rule, Bulletin Vol. 15-12 (eff. PLR 2016)
- [23-0101-1503](#) Adoption of Pending Rule, Bulletin Vol. 15-12 (eff. PLR 2016)
- [23-0101-1501](#) OAR Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 16-5 (eff. 3-25-16)
- [23-0101-1503](#) OAR Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 16-5 (eff. 3-25-16)

IDAPA 24 -- BUREAU OF OCCUPATIONAL LICENSES

- [24-0001-1500](#) Omnibus Rulemaking Notice for Certain Licensing Boards Served by the Bureau of Occupational Licenses Proposed Rulemaking (Fee Rule), Bulletin Vol. 15-10
- [24-0001-1500](#) Omnibus Rulemaking Notice for Certain Licensing Boards Served by the Bureau of Occupational Licenses Adoption of Pending Fee Rule, Bulletin Vol. 15-12 (eff. PLR 2016)
- [24-0001-1500](#) OAR Omnibus Notice of Legislative Action - Approval of Pending Fee Rule by SCR 153, Bulletin Vol. 16-5 (eff. 3-24-16)

24.03.01, Rules of the State Board of Chiropractic Physicians

- [24-0301-1501](#) Proposed Rulemaking, Bulletin Vol. 15-10
- [24-0301-1501](#) Notice of Public Hearing, Bulletin Vol. 15-11
- [24-0301-1501](#) Adoption of Pending Rule, Bulletin Vol. 16-1 (eff. PLR 2016)
- [24-0301-1501](#) OAR Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 16-5 (eff. 3-25-16)

24.05.01, Rules of the Board of Drinking Water and Wastewater Professionals

- [24-0001-1500](#) Omnibus Proposed Rulemaking (Fee Rule), Bulletin Vol. 15-10
- [24-0501-1501](#) Proposed Rulemaking, Bulletin Vol. 15-10
- [24-0001-1500](#) Omnibus Notice of Adoption of Pending Fee Rule, Bulletin Vol. 15-12 (eff. PLR 2016)
- [24-0501-1501](#) Adoption of Pending Rule, Bulletin Vol. 15-12 (eff. PLR 2016)
- [24-0001-1500](#) OAR Omnibus Notice of Legislative Action - Approval of Pending Fee Rule by SCR 153, Bulletin Vol. 16-5 (eff. 3-24-16)
- [24-0501-1501](#) OAR Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 16-5 (eff. 3-25-16)

24.06.01, Rules for the Licensure of Occupational Therapists and Occupational Therapy Assistants

- [24-0001-1500](#) Omnibus Proposed Rulemaking (Fee Rule), Bulletin Vol. 15-10
- [24-0601-1501](#) Proposed Rulemaking, Bulletin Vol. 15-10
- [24-0001-1500](#) Omnibus Notice of Adoption of Pending Fee Rule, Bulletin Vol. 15-12 (eff. PLR 2016)
- [24-0601-1501](#) Adoption of Pending Rule, Bulletin Vol. 15-12 (eff. PLR 2016)
- [24-0001-1500](#) OAR Omnibus Notice of Legislative Action - Approval of Pending Fee Rule by SCR 153, Bulletin Vol. 16-5 (eff. 3-24-16)
- [24-0601-1501](#) OAR Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 16-5 (eff. 3-25-16)

24.07.01, Rules of the Idaho State Board of Landscape Architects

- [24-0001-1500](#) Omnibus Proposed Rulemaking (Fee Rule), Bulletin Vol. 15-10
- [24-0001-1500](#) Omnibus Notice of Adoption of Pending Fee Rule, Bulletin Vol. 15-12 (eff. PLR 2016)
- [24-0001-1500](#) OAR Omnibus Notice of Legislative Action - Approval of Pending Fee Rule by SCR 153, Bulletin Vol. 16-5 (eff. 3-24-16)

24.08.01, Rules of the State Board of Morticians

- [24-0801-1501](#) Proposed Rulemaking, Bulletin Vol. 15-10
- [24-0801-1501](#) Adoption of Pending Rule, Bulletin Vol. 15-12 (eff. PLR 2016)
- [24-0801-1501](#) OAR Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 16-5 (eff. 3-25-16)

24.12.01, Rules of the State Board of Psychologist Examiners

- [24-1201-1501](#) Proposed Rulemaking (Fee Rule), Bulletin Vol. 15-10
- [24-1201-1501](#) Adoption of Pending Fee Rule, Bulletin Vol. 15-12 (eff. PLR 2016)
- [24-1201-1501](#) OAR Omnibus Notice of Legislative Action - Approval of Pending Fee Rule by SCR 153, Bulletin Vol. 16-5 (eff. 3-24-16)

24.13.01, Rules Governing the Physical Therapy Licensure Board

- 24-0001-1500** Omnibus Proposed Rulemaking (Fee Rule), Bulletin Vol. 15-10
- 24-0001-1500** Omnibus Notice of Adoption of Pending Fee Rule, Bulletin Vol. 15-12 (eff. PLR 2016)
- 24-0001-1500** OAR Omnibus Notice of Legislative Action - Approval of Pending Fee Rule by SCR 153, Bulletin Vol. 16-5 (eff. 3-24-16)

24.15.01, Rules of the Idaho Licensing Board of Professional Counselors and Marriage and Family Therapists

- 24-1501-1501** Proposed Rulemaking, Bulletin Vol. 15-10
- 24-1501-1501** Adoption of Pending Rule, Bulletin Vol. 15-12 (eff. PLR 2016)
- 24-1501-1501** OAR Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 16-5 (eff. 3-25-16)

24.17.01, Rules of the State Board of Acupuncture

- 24-1701-1501** Proposed Rulemaking, Bulletin Vol. 15-10
- 24-1701-1501** Adoption of Pending Rule, Bulletin Vol. 15-12 (eff. PLR 2016)
- 24-1701-1501** OAR Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 16-5 (eff. 3-25-16)

24.18.01, Rules of the Real Estate Appraiser Board

- 24-0001-1500** Omnibus Proposed Rulemaking (Fee Rule), Bulletin Vol. 15-10
- 24-1801-1501** Proposed Rulemaking, Bulletin Vol. 15-10
- 24-0001-1500** Omnibus Notice of Adoption of Pending Fee Rule, Bulletin Vol. 15-12 (eff. PLR 2016)
- 24-1801-1501** Adoption of Pending Rule, Bulletin Vol. 15-12 (eff. PLR 2016)
- 24-0001-1500** OAR Omnibus Notice of Legislative Action - Approval of Pending Fee Rule by SCR 153, Bulletin Vol. 16-5 (eff. 3-24-16)
- 24-1801-1501** OAR Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 16-5 (eff. 3-25-16)
- 24-1801-1601** Adoption of Temporary Rule, Bulletin Vol. 16-5 (eff. 4-1-16)T

24.21.01, Rules of the Idaho State Contractors Board

- 24-2101-1501** Proposed Rulemaking (Fee Rule), Bulletin Vol. 15-10
- 24-2101-1501** Adoption of Pending Fee Rule, Bulletin Vol. 15-12 (eff. PLR 2016)
- 24-2101-1501** OAR Omnibus Notice of Legislative Action - Approval of Pending Fee Rule by SCR 153, Bulletin Vol. 16-5 (eff. 3-24-16)

24.22.01, Rules of the Idaho State Liquefied Petroleum Gas Safety Board

- 24-0001-1500** Omnibus Proposed Rulemaking (Fee Rule), Bulletin Vol. 15-10
- 24-0001-1500** Omnibus Notice of Adoption of Pending Fee Rule, Bulletin Vol. 15-12 (eff. PLR 2016)
- 24-0001-1500** OAR Omnibus Notice of Legislative Action - Approval of Pending Fee Rule by SCR 153, Bulletin Vol. 16-5 (eff. 3-24-16)

24.24.01, Rules of the Genetic Counselors Licensing Board

- 24-2401-1501** Proposed Rulemaking (New Chapter) (Fee Rule), Bulletin Vol. 15-10
- 24-2401-1501** Adoption of Pending Fee Rule (New Chapter), Bulletin Vol. 15-12 (eff. PLR 2016)
- 24-2401-1501** OAR Omnibus Notice of Legislative Action - Approval of Pending Fee Rule by SCR 153, Bulletin Vol. 16-5 (eff. 3-24-16)

24.25.01, Rules of the Idaho Driving Businesses Licensure Board

- 24-0001-1500** Omnibus Proposed Rulemaking (Fee Rule), Bulletin Vol. 15-10
- 24-2501-1501** Proposed Rulemaking, Bulletin Vol. 15-10
- 24-0001-1500** Omnibus Notice of Adoption of Pending Fee Rule, Bulletin Vol. 15-12 (eff. PLR 2016)
- 24-2501-1501** Adoption of Pending Rule, Bulletin Vol. 15-12 (eff. PLR 2016)
- 24-0001-1500** OAR Omnibus Notice of Legislative Action - Approval of Pending Fee Rule by SCR 153, Bulletin Vol. 16-5 (eff. 3-24-16)
- 24-2501-1501** OAR Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 16-5 (eff. 3-25-16)

24.27.01, Rules of the Idaho State Board of Massage Therapy

- 24-0001-1500** Omnibus Proposed Rulemaking (Fee Rule), Bulletin Vol. 15-10
- 24-0001-1500** Omnibus Notice of Adoption of Pending Fee Rule, Bulletin Vol. 15-12 (eff. PLR 2016)
- 24-0001-1500** OAR Omnibus Notice of Legislative Action - Approval of Pending Fee Rule by SCR 153, Bulletin Vol. 16-5 (eff. 3-24-16)

IDAPA 25 -- OUTFITTERS AND GUIDES LICENSING BOARD

25.01.01, Rules of the Outfitters and Guides Licensing Board

- 25-0101-1501** Proposed Rulemaking, Bulletin Vol. 15-10
- 25-0101-1501** Adoption of Pending Rule, Bulletin Vol. 16-1 (eff. PLR 2016)
- 25-0101-1501** OAR Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 16-5 (eff. 3-25-16)

IDAPA 26 -- DEPARTMENT OF PARKS AND RECREATION

26.01.06, Rules Governing Cooperator Recognition and Sale of Advertising

- 26-0106-1501** Notice of Intent to Promulgate Rules - Negotiated Rulemaking (New Chapter), Bulletin Vol. 15-8
- 26-0106-1501** Proposed Rulemaking (New Chapter), Bulletin Vol. 15-10
- 26-0106-1501** Adoption of Pending Rule, Bulletin Vol. 16-1 (eff. PLR 2016)
- 26-0106-1501** OAR Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 16-5 (eff. 3-25-16)

IDAPA 27 -- BOARD OF PHARMACY

27.01.01, Rules of the Idaho State Board of Pharmacy

- 27-0101-1501** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 15-7
- 27-0101-1501** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 15-8 (2nd Notice)
- 27-0101-1501** Proposed Rulemaking (Fee Rule), Bulletin Vol. 15-10
- 27-0101-1502** Proposed Rulemaking, Bulletin Vol. 15-10
- 27-0101-1503** Proposed Rulemaking, Bulletin Vol. 15-10
- 27-0101-1504** Proposed Rulemaking, Bulletin Vol. 15-10
- 27-0101-1505** Proposed Rulemaking, Bulletin Vol. 15-10
- 27-0101-1501** Adoption of Pending Fee Rule, Bulletin Vol. 15-12 (eff. PLR 2016)
- 27-0101-1502** Adoption of Pending Rule, Bulletin Vol. 15-12 (eff. PLR 2016)
- 27-0101-1503** Adoption of Pending Rule, Bulletin Vol. 15-12 (eff. PLR 2016)
- 27-0101-1504** Adoption of Pending Rule, Bulletin Vol. 15-12 (eff. PLR 2016)
- 27-0101-1505** Adoption of Pending Rule, Bulletin Vol. 15-12 (eff. PLR 2016)
- 27-0101-1501** OAR Omnibus Notice of Legislative Action - Approval of Pending Fee Rule by SCR 153, Bulletin Vol. 16-5 (eff. 3-24-16)
- 27-0101-1502** OAR Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 16-5 (eff. 3-25-16)
- 27-0101-1503** OAR Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 16-5 (eff. 3-25-16)
- 27-0101-1504** OAR Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 16-5 (eff. 3-25-16)
- 27-0101-1505** OAR Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 16-5 (eff. 3-25-16)

IDAPA 28 -- DEPARTMENT OF COMMERCE

28.02.01, Idaho Community Development Block Grant Program (ICDBG)

- 28-0201-1501** Proposed Rulemaking, Bulletin Vol. 15-10
- 28-0201-1501** Adoption of Pending Rule, Bulletin Vol. 16-1 (eff. PLR 2016)
- 28-0201-1501** OAR Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 16-5 (eff. 7-1-16)

28.02.07, Rules Governing the Administration of the IGEM Grant Program

- 28-0207-1501** Proposed Rulemaking, Bulletin Vol. 15-10
- 28-0207-1501*** Notice of Vacation of Proposed Rulemaking, Bulletin Vol. 16-1 (*Rulemaking Terminated)

IDAPA 31 -- PUBLIC UTILITIES COMMISSION

31.11.01, Safety and Accident Reporting Rules for Utilities Regulated by Idaho Public Utilities Commission

- 31-1101-1501** Proposed Rulemaking, Bulletin Vol. 15-10
- 31-1101-1501** Adoption of Pending Rule, Bulletin Vol. 16-1 (eff. PLR 2016)

- 31-1101-1501** OAR Omnibus Notice of Legislative Action-Partial Rejection of Pending Rule by HCR 51, Bulletin Vol. 16-5 (eff. 3-22-16)
- 31-1101-1501** Notice of Legislative Action - Agency Filing of Final Rule - Partial Rejection of Pending Rule by HCR 51 and Rejection of Codified Sections 202 and 203, Bulletin Vol. 16-5 (eff. 3-22-16)

31.71.03, Railroad Safety and Accident Reporting Rules

- 31-7103-1501** Proposed Rulemaking, Bulletin Vol. 15-10
- 31-7103-1501** Adoption of Pending Rule, Bulletin Vol. 16-1 (eff. PLR 2016)
- 31-7103-1501** OAR Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 16-5 (eff. 3-25-16)

IDAPA 34 -- SECRETARY OF STATE

34.02.01, Presidential Primary

- 34-0201-1501** Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 15-10
- 34-0201-1501** Adoption of Pending Rule (Chapter Repeal), Bulletin Vol. 16-1 (eff. PLR 2016)
- 34-0201-1501** OAR Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 16-5 (eff. 3-25-16)

34.04.03, Rules Governing Benefit Corporations

- 34-0403-1501*** Adoption of Temporary Rule (New Chapter), Bulletin Vol. 15-9 (eff. 8-6-15)T (*Expires Sine Die 2016)

34.05.01, Rules Governing Farm Products Central Filing System

- 34-0501-1501** Temporary and Proposed Rulemaking (Fee Rule), Bulletin Vol. 15-9 (eff. 8-6-15)T
- 34-0501-1501** Adoption of Pending Fee Rule, Bulletin Vol. 15-11 (eff. PLR 2016)
- 34-0501-1501** OAR Omnibus Notice of Legislative Action - Approval of Pending Fee Rule by SCR 153, Bulletin Vol. 16-5 (eff. 3-24-16)

IDAPA 35 -- STATE TAX COMMISSION

35.01.01, Income Tax Administrative Rules

- 35-0101-1501** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 15-7
- 35-0101-1501** Proposed Rulemaking, Bulletin Vol. 15-9
- 35-0101-1502** Proposed Rulemaking, Bulletin Vol. 15-9
- 35-0101-1501** Adoption of Pending Rule, Bulletin Vol. 15-12 (eff. PLR 2016)
- 35-0101-1502** Adoption of Pending Rule, Bulletin Vol. 15-12 (eff. PLR 2016)
- 35-0101-1501** OAR Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 16-5 (eff. 3-25-16)
- 35-0101-1502** OAR Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 16-5 (eff. 3-25-16)

35.01.02, Idaho Sales and Use Tax Administrative Rules

- 35-0102-1501** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 15-5
- 35-0102-1502** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 15-6
- 35-0102-1503*** Adoption of Temporary Rule, Bulletin Vol. 15-8 (eff. 6-10-15)T (*Expires Sine Die 2016)
- 35-0102-1501** Proposed Rulemaking, Bulletin Vol. 15-10
- 35-0102-1502** Proposed Rulemaking, Bulletin Vol. 15-10
- 35-0102-1504** Proposed Rulemaking, Bulletin Vol. 15-10
- 35-0102-1501** Adoption of Pending Rule, Bulletin Vol. 15-12 (eff. PLR 2016)
- 35-0102-1502** Adoption of Pending Rule, Bulletin Vol. 15-12 (eff. PLR 2016)
- 35-0102-1504** Adoption of Pending Rule, Bulletin Vol. 15-12 (eff. PLR 2016)
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